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ABSTRACT

This document is a guide to the North Dakota Close Up Experience for 1993. The document is divided into six sections. The first section is an introduction with a national profile of the Close Up Program, an overview of the North Dakota program and list of goals, maps and exercises to help the participant learn the way around the state capitol building, program evaluation sheets for students and teachers, and a preliminary agenda. The second section is a student guide with parts on planning for the state Close Up Experience, student participant guidelines, preparatory questions, and information about testifying before legislative committees. The third section, devoted to state government and how the legislative system works, has 12 parts: (1) a general discussion of state government; (2) the role of the executive branch; (3) the role of the state legislature; (4) organization of the legislative branch; (5) the role of the legislative council; (6) legislative standing committees; (7) bills and resolutions; (8) drafting of bills and resolutions; (9) amending a bill or resolution; (10) North Dakota legislature (floor action); (11) North Dakota legislative order of business; and (12) legislative terms. The fourth section contains miscellaneous information on the news media, lobbying and interest groups, adoption of administrative rules, and election of legislators. The fifth section gives instructions for extending the Close Up Experience. The sixth section covers program activities and selected issues. (DK)

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PARTICIPANT GUIDE 1993

NORTH DAKOTA

CLOSE UP

53rd Legislative
Assembly

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Department of Public Instruction
Dr. Wayne G. Sanstead, SUPERINTENDENT
Bismarck, N.D. 58505-0440

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Public Instruction

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State of North Dakota
OFFICE OF THE GOVERNOR
600 E. BOULEVARD – GROUND FLOOR
BISMARCK, NORTH DAKOTA 58505-0001
(701) 224-2200

EDWARD T. SCHAFER
GOVERNOR

January, 1993

To: North Dakota Close Up
Students and Teachers

From: Edward T. Schafer
Governor

Re: Welcome to Close Up!

"Making a Difference" is the motto borrowed from the Close Up Foundation to stress each individual's potential impact in the decision-making process of a government that is reliant upon citizen participation. Democracy must be cherished, guarded and protected. Citizen involvement is at the heart of democracy and is essential to the democratic experiment.

Use the hands-on approach to learning offered by Close Up. Take this opportunity to examine issues and conflicts. Active participation will help you understand your very important role in preserving our democratic way of life.

ETS/hl

John Stitzell, Manager of Amoco's refinery in Mandan, presents Dr. Wayne G. Sanstead with a $2,500 check to support the North Dakota Close Up Program. This is the fourth year that the Amoco Oil Foundation has awarded a $2,500 grant to Close Up.

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ACKNOWLEDGEMENTS

We want to express our appreciation to the Close Up Foundation and the Amoco Oil Foundation for their financial support. Substantial corporate program grants, in conjunction with the support, encouragement, and enthusiastic response of leaders in education, private industry, and government, have made the 1993 North Dakota Close Up program a reality.

The Close Up teachers, advisory board members, group leaders and program presentors are to be acknowledged for their time, effort, and dedication to ensure that the 1993 state experience is a success.

We are very grateful to everyone who dedicated their time and expertise to author the primary source articles and to the following people who offered their help and skill in the development of this publication:

North Dakota Legislative Council Librarian and Advisory Board Member,
    Marilyn Guttromson
University of North Dakota, Dr. Douglas Munski and Dr. Theodore Pedeliski
Grand Forks Teacher and Advisory Board member, Gene Martin,
Department of Public Instruction staff members:
    Wayne G. Sanstead, Superintendent; Ron Stastney, Assistant Superintendent; Joe Linnertz, Technical Advisor; Neil Howe, Division of Independent Study; and Irish Linnertz, Coordinator.

Commendation must be given to the school boards and administrators who support the Close Up concept and make it possible for students and teachers to participate in the Close Up program. We are aware of the sacrifices in terms of time and money for curriculum, transportation, substitute teacher arrangements and schedule changes that are necessary for students and teachers to participate successfully in the Close Up experience.

We are grateful to state legislators and to personnel from the Legislative Council and the Office of the Governor for their contributions in the development of the 1993 participant guide.

Senator Kent Conrad and Representative Byron Dorgan have provided encouragement through their endorsement and support. We mourn the loss of Senator Quentin Burdick, also an avid supporter of the Close Up philosophy.

A special thanks to our national corporate sponsors. Through their generosity, funding is provided for national fellowships and program development. We are extremely fortunate to work with Heidi Lynch and other staff from the Close Up Foundation, all of whom have offered support, encouragement, and guidance.

TABLE OF CONTENTS

Acknowledgements . . . iii

Table of Contents . . . iv

Preface . . . vii

SECTION 1--INTRODUCTION

Greetings - Superintendent Dr. Wayne G. Sanstead . . . 1

National Profile . . . 2

State Close Up Overview and Goals . . . 7

Endorsements . . . 8

The Capitol . . . 9

Program Evaluation . . . 13

Preliminary Agenda . . . 15

SECTION 2--STUDENT GUIDE

Planning for the State Close Up Experience . . . 17

Student Participant Guidelines for the State Close Up Experience . . . 19

Preparing Questions for the State Close Up Experience . . . 20

Testifying Before Committees of the ND Legislative Assembly . . . 21

SECTION 3--STATE GOVERNMENT AND HOW THE LEGISLATIVE SYSTEM WORKS

State Government . . . 23

The Role of the Executive Branch . . . 25

The Role of the State Legislature . . . 28

Organization of the Legislative Branch . . . 29

The Role of the Legislative Council . . . 31

Legislative Standing Committees . . . 33

Bills and Resolutions . . . 34

7

Drafting of Bills and Resolutions 35
Amending a Bill or Resolution 37
North Dakota Legislature (Floor Action) 42
North Dakota Legislative Order of Business 43
Legislative Terms 44

SECTION 4--MISCELLANEOUS INFORMATION

The News Media 49
Lobbying and Interest Groups 52
How Administrative Rules are Adopted Under North Dakota Law 53
Election of Legislators 56

SECTION 5--EXTENDING THE EXPERIENCE

Pre- and Post-Experiences 57
Extending the Close Up Experience in Your School 58
Dos and Dont's When Corresponding with Government Officials 59
Golden Rules 60

SECTION 6--PROGRAM ACTIVITIES AND SELECTED ISSUES

Introduction 63
Clipping From The Beulah Beacon 64
Issues 65
    Educational Funding 67
    Governance 69
    Educational Outcomes - Student Centered Curriculum 75
    The Reform Agenda - Adopting and Achieving Personal Goals 80
    Educational Equity 84

PREFACE

The Close Up Foundation subtitles its program in Washington, D.C. as " . . . a citizenship learning adventure . . . "! It is described as not only a learning adventure; indeed, it is called an adventure in personal growth.

Our experience in North Dakota is no less of an adventure. You will learn by being there. Opportunities will be provided to meet with our state's leaders. Both sides of issues will be uncovered. Seminars will provide detailed information. Meetings and discussion groups will permit you to share ideas and gain new perspectives.

This is only the beginning!! North Dakota Close Up will help you learn about the political process--you'll learn to separate fact from opinion. You'll be given the opportunity to apply such skills as decision making, debating, and public speaking. These skills will serve you well the rest of your life!!

Whether in meetings, during seminars, or at the socials, have fun! Let this adventure confirm your role as an active citizen of North Dakota and a lifelong adventurer into democracy!

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Section 1

Introduction

THE STATE OF NORTH DAKOTA

Department of Public Instruction

600 E. Boulevard Ave. Bismarck, North Dakota 58505-0440

Dr. Wayne G. Sanstead, SUPERINTENDENT (701) 224-2260 Fax (701) 224-2461

January, 1993

GREETINGS!!!

Civic education plays a critical role in personal development and growth. It equips us to make informed and responsible decisions about issues confronting our local community, our state, and potentially, the global community.

Close Up provides a vehicle for young people to experience government firsthand in an innovative and participatory setting. The 1993 legislative program offers a mix of activities designed to provide you with the knowledge you will need to become active participants in the democratic process. Activities include: workshops, legislative simulations, on-site observations of government in action, presentations on key issues, a seminar on how to critically view the news, and also, some social mixers. The program promises to be fast-paced, fun and exciting.

The topics scheduled for debate in student workshops will focus on education. You will analyze the effects of the media and the lobbyists on the legislative process. You are encouraged to ask tough questions with an open mind, to take part in discussions, and to become actively involved in planned activities, so, you will leave with a firm resolve to fully participate in your government--at the local, state, and/or national level.

You, the young people, are our most valuable resource and your actions can make a difference. Take the challenge Close Up offers--help make the world a better place in which to live. Your potential is unlimited!

Sincerely,

Wayne G. Sanstead

Dr. Wayne G. Sanstead
Superintendent

WGS:pkm

School for the Deaf
Devils Lake, ND
(701) 662-5031

School for the Blind
Grand Forks, ND
(701) 777-4144

State Library
Bismarck, ND
(701) 224-4622

Div. of Independent Study
Fargo, ND
(701) 239-7282

Senator Kent Conrad

NATIONAL PROFILE

You're approaching adulthood. You're making decisions now that will influence the course of your whole life—decisions about schooling, about your career, about your future. It's an exciting time filled with personal challenges and a world of opportunity.

CLOSE UP can help you explore those opportunities . . .

because CLOSE UP is not only a government studies adventure—it's an adventure in personal growth. During the weeklong CLOSE UP Program, Washington, D.C.—one of the world's most fascinating cities—is your classroom. You visit the halls and committee rooms of government and meet the men and women who influence the course of American history. You find out firsthand what's going on in America and the world—and how it affects your future.

In CLOSE UP, you learn through direct involvement and gain a real-world perspective on government and current issues. And you also gain a better understanding of *your* opportunities in one of the world's great democracies.

Talk with the Nation's Leaders—During daily seminars you'll have the opportunity to question senators, representatives, administration officials, reporters, lobbyists, and policymakers about what they do and where they stand on national and international issues. Some will be newsmakers whose names and faces you'll recognize; others will be behind-the-scenes experts in government and politics.

Uncover Both Sides of the Issues—Onsite Washington seminars give you the chance to challenge the experts—to ask the questions you've always wanted to ask about the major political issues confronting the nation and the world. Since seminar speakers represent both major political parties and a broad spectrum of viewpoints, the answers you'll get will often be conflicting, sometimes surprising, and always candidly informative. CLOSE UP encourages you to evaluate for yourself everything you see and hear, so that you can develop your own ideas and opinions about current issues. The speakers, in turn, will learn from you what young Americans think about their country and its problems and challenges.

Seminar Format—You'll take part in twelve to fifteen of these onsite seminars, each featuring a different "Washington expert" speaker. Seminars are thirty to sixty minutes in length and begin with a short introductory presentation by the speaker followed by a question-and-answer session.

CLOSE UP is experiencing the democratic process as an insider.

Learn by Being There—As a CLOSE UP participant, you'll take part in daily study visits to places such as the House of Representatives and the Senate, the Capitol, the Supreme Court, the Library of Congress, and various federal agencies. During scheduled independent activity time, you'll have additional opportunities to visit congressional offices and sit in on governmental hearings. As you witness the business of government taking place, the things you've read about in textbooks and newspapers will come to life. You'll begin to see government as a real and powerful process in which you can play a part.

Senator Byron Dorgan

CLOSE UP
FOUNDATION

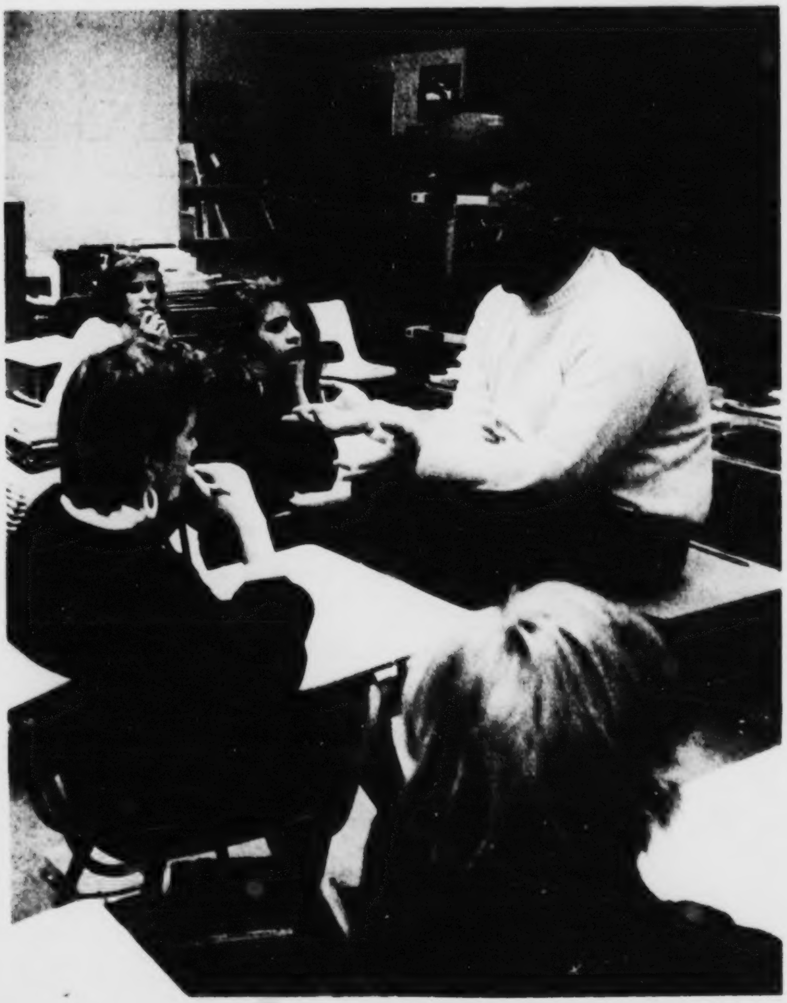
Close Up Foundation
44 Canal Center Plaza
Alexandria, Virginia 22314
703-706-3300

Close Up Washington Programs

CLOSE UP
FOUNDATION

Close Up Foundation
44 Canal Center Plaza
Alexandria, Virginia 22314
703-706-3300

The Citizen Bee



What can the Citizen Bee give you and your school?

- The opportunity to recognize your students' academic achievements
- Innovative activities to enhance social studies learning in your class
- New tools in the national drive to improve civic literacy
- The opportunity for students to participate in regional, state, and national competitions and win awards and scholarships
- Positive community attention for your school and students

The Citizen Bee

The Citizen Bee is a national civic education program and academic competition designed to deepen student understanding of U.S. history, government, geography, economics, and current events. More than 100,000 students took part in the 1991 Citizen Bee; this year, the program will reach schools in all 50 states, Washington, D.C., several U.S. territories, and a number of American schools abroad.

Close Up

Civic Outreach

Civic Achievement Award Program

Benefits

- Generate excitement as students contribute to their communities
- Achieve curriculum goals in the social studies
- Provide opportunities for parent involvement
- Enhance your school's profile in the community
- Develop a solid base of knowledge of our American heritage
- Show students that citizenship means informed action
- Use an interdisciplinary approach to teaching responsible citizenship
- Build planning, research and analytic skills

Established by:
United States Congress

Conducted by:
Close Up Foundation

Funded By:
Burger King Corporation, a partner
in educational achievement

Approved by:

- National Association of Elementary School Principals
- American Association of School Administrators
- American Association of School Librarians
- Association for Supervision and Curriculum Development
- National Catholic Educational Association
- National Association of Secondary School Principals
- National Council for the Social Studies
- National Middle School Association
- National School Boards Association
- National Alliance of Black School Educators

The Roots of Our Support Run Deep...

CAAP and ***CAAP in Action*** give you the means and the materials to spark new interest in the social studies in 5th through 8th grade students. Build a solid foundation in civic education for your students through learning activities in U.S. HISTORY, GOVERNMENT, GEOGRAPHY, ECONOMICS, CULTURE, and CURRENT EVENTS.

Both programs are supplementary, easy to implement, and designed to enhance your existing curricula. Use them in any way appropriate for your classroom.

CONDUCTED BY the ***Close Up Foundation***, the nation's largest citizenship education organization, in cooperation with the National Association of Elementary School Principals.

You receive the following FREE materials:

- Resource Book for each student
- Instructor Manual for each teacher
- Mastery Tests
- Answer Guide
- Student Award Certificates
- Instructor Certificates

Fill out the Registration Form below TODAY!

CAAP and ***CAAP in Action*** are complete social studies supplements, and they both provide ALL the materials to implement the program at **NO COST**.

Registration Information

FREE *CAAP* and *CAAP in Action* materials will be distributed during the 1991/1992 school year on a first-come, first-served basis.
Return the Registration Form below by October 15, 1991. Please make sure you complete all the information requested and send it back to the Close Up Foundation. Materials will arrive in the classroom in November (CAAP) and January (CAAP in Action). Each student receives a resource book to keep.

All materials are FREE!

QUESTIONS? Call Toll Free:
1-800-356-5136

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NORTH DAKOTA INTERGENERATIONAL CLOSE UP PROGRAM

Close Up salutes the intergenerational diversity of the Fargo/West Fargo-based Southeast Regional Program. In September of 1992, Close Up conducted its second successful regional program. Students from schools located in Cass, Richland and Barnes counties were invited to participate in the one day event during which participants focused on the topic of medical ethics.

The Southeast Regional Steering Committee is to be congratulated for their outstanding job in involving the community, providing program direction and technical assistance, and for their commitment of time and energy in facilitating the event.

The intergenerational program is designed so that all participants will benefit by the experience; that they will learn to respect each others opinions; that students and adults will deal cooperatively with issues affecting their local community or region; and -- most especially -- understand the need to get involved and to participate in government.

For more information on the Southeast Regional Program, please contact Neil Howe or Bob Stone at the Division of Independent Study in Fargo, 239-7282.

The Department of Public Instruction is looking for volunteers to cosponsor an intergenerational program in which the generations will work together as partners to deal with issues affecting their local community or region. For more information, please call Irish Linnertz at the Department of Public Instruction, 224-2247.

NORTH DAKOTA STATE CLOSE UP: AN OVERVIEW

The North Dakota CLOSE Up Experience is modeled after the National CLOSE UP Program, which is held annually in Washington, DC. There, students from 50 states gather to learn how they can become involved in government and what government is all about.

The North Dakota CLOSE UP Experience is based upon the belief that students need to have an understanding of the roles of state and local governments, of politics and law, and of the rights and responsibilities of citizens in a democracy if the American experiment in self-government is to survive.

NORTH DAKOTA STATE CLOSE UP GOALS

1. Promote future leadership activities and participation in the local community and in politics.
2. Increase awareness and understanding of the functioning of North Dakota state government.
3. Increase awareness and understanding of the issues facing North Dakota.
4. Increase interest in the politics and issues of the State of North Dakota.
5. Increase awareness and understanding of the role of the lobbyists and media in North Dakota.
6. Increase communication between and among individuals from different schools and regions.
7. Explore the role of the individual in the legislative process.
8. Avail current legislative resources to all North Dakota Secondary Schools.
9. Develop academic and social skills through on-site learning and direct experiences.
10. Create a participating environment to promote an understanding of civic responsibilities and to enhance learning.
11. Provide teachers with experiences and technical resources to enhance their instructional programs.
12. Involve parents, teachers, government leaders, and the community in civic education.

ENDORSEMENTS

The National Association of Secondary School Principals endorses Close Up as one of its recommended activities. The North Dakota Department of Public Instruction, along with members of the North Dakota Close Up Advisory Board, heartily endorse this effort at both the state and national level. Dr. Wayne G. Sanstead serves on both the state and national committees.

NORTH DAKOTA CLOSE UP ADVISORY BOARD MEMBERS

Rachel Disrud
ND Parents and Teachers Association
Fargo, ND

Senator Barb Evanson
Bismarck, ND

Lt. Governor Omdahl
Bismarck, ND

Marilyn Guttromson
Legislative Council
Bismarck, ND

Senator Bonnie Heinrich
Bismarck, ND

Neil Howe
Division of Independent Study
Fargo, ND

Dr. Sharon Johnson
Bismarck School District

Dr. Wayne G. Sanstead
Superintendent
ND Department of Public Instruction
Bismarck, ND

Arlene Peterson
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Fargo, ND

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Amoco Oil Company
Mandan, ND

Jan Reisenauer, Teacher
Bismarck School District

Gene Martin
State Board of Higher Education
Grand Forks, ND

Senator David O'Connell
Lansford, ND

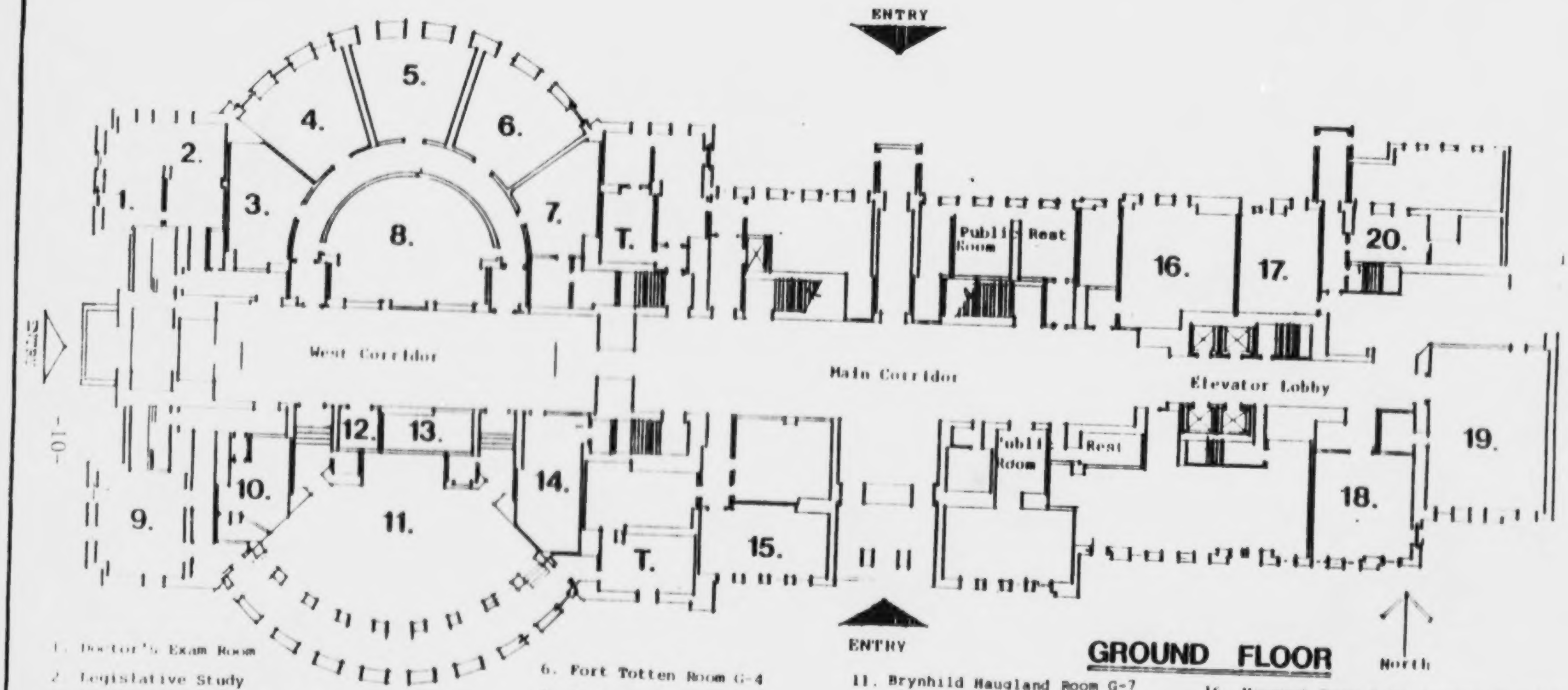
John Stitzell
General Manager
Amoco Oil Company
Mandan, ND

Lowell Ridgeway
North Dakota Petroleum Council
Bismarck, ND

THE CAPITOL

Jim, a fellow student, has just entered the Capitol from the north. Use the floor plan to respond to his questions.

1. Where is the Governor's Office located?
2. I wish to attend a Committee Meeting in the Fort Totten Room, how do I get there?
3. Paul is observing the Senate from the balcony. I need to contact him immediately. Please direct me to the balcony.
4. Carol and Jean went to the vending area. Please direct me to that area.
5. Marilyn Guttromson, Legislative Council librarian, has some information for me. How do I get to the Legislative Council Library?
6. Where is the Rough Rider Room?
7. I need a copy of the bill that is being heard in committee today. Where is the Joint Bill and Journal Room?
8. How do I get to the cafeteria?
9. Where is the Prairie Room?
10. I have a news release I am to give to one of the news reporters. Where is the Press Room?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Public Room
Rest
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ENTRY
West Corridor
Main Corridor
Elevator Lobby
12.
13.
Public Room
Rest
19.
10.
14.
9.
11.
18.
T.
15.
ENTRY
North
-10-

GROUND FLOOR

1. Doctor's Exam Room
2. Legislative Study
3. Roosevelt Park Room G-1
4. Fort Union Room G-2
5. Peace Garden Room G-3
6. Fort Totten Room G-4
7. Press Room G-5
8. Joint Bill & Journal
9. Fort Lincoln Room G-9
10. Press Studio G-8
11. Brynhild Haugland Room G-7
12. Vending Area
13. Public Coat Room
14. Lewis & Clark Rm. G-6
15. Missouri River Rm. G-10
16. Harvest Room G-11 (Senate Appro.)
17. Red River Room G-12
18. Sakakawea Room G-14
19. Rough Rider Room G-13 (House Appro.)
20. Mail Room

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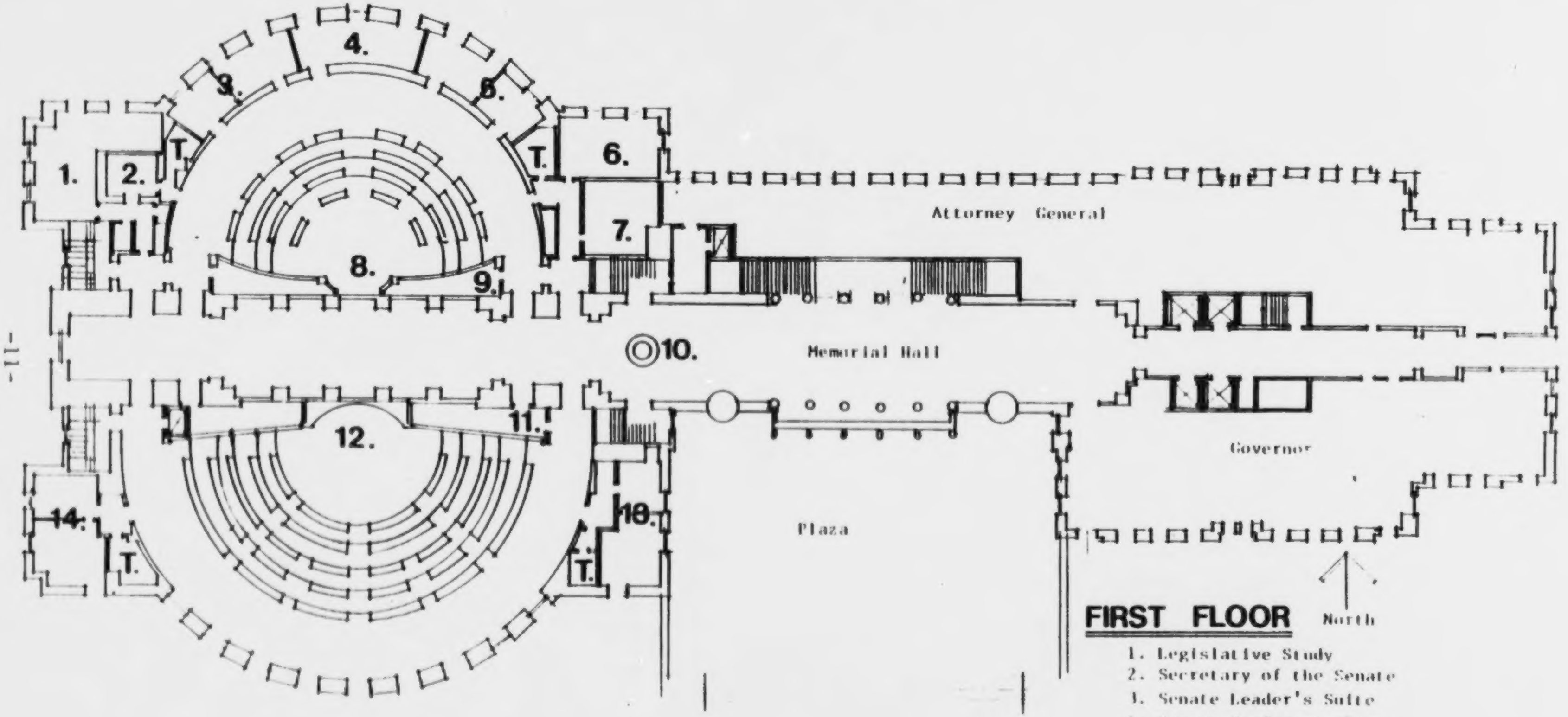
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Attorney General
10.
Memorial Hall
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11.
14.
13.
T.
T.
Plaza
Governor
North

FIRST FLOOR

1. Legislative Study
2. Secretary of the Senate
3. Senate Leader's Suite
4. Senate Conference Room
5. Senate Leader's Suite
6. Legislative Phone Room
7. Joint Supply Room
8. Senate Chambers
9. Senate Pages
10. Information Kiosk
11. House Pages
12. House of Representatives
13. House Leader's Suite
14. House Leader's Suite

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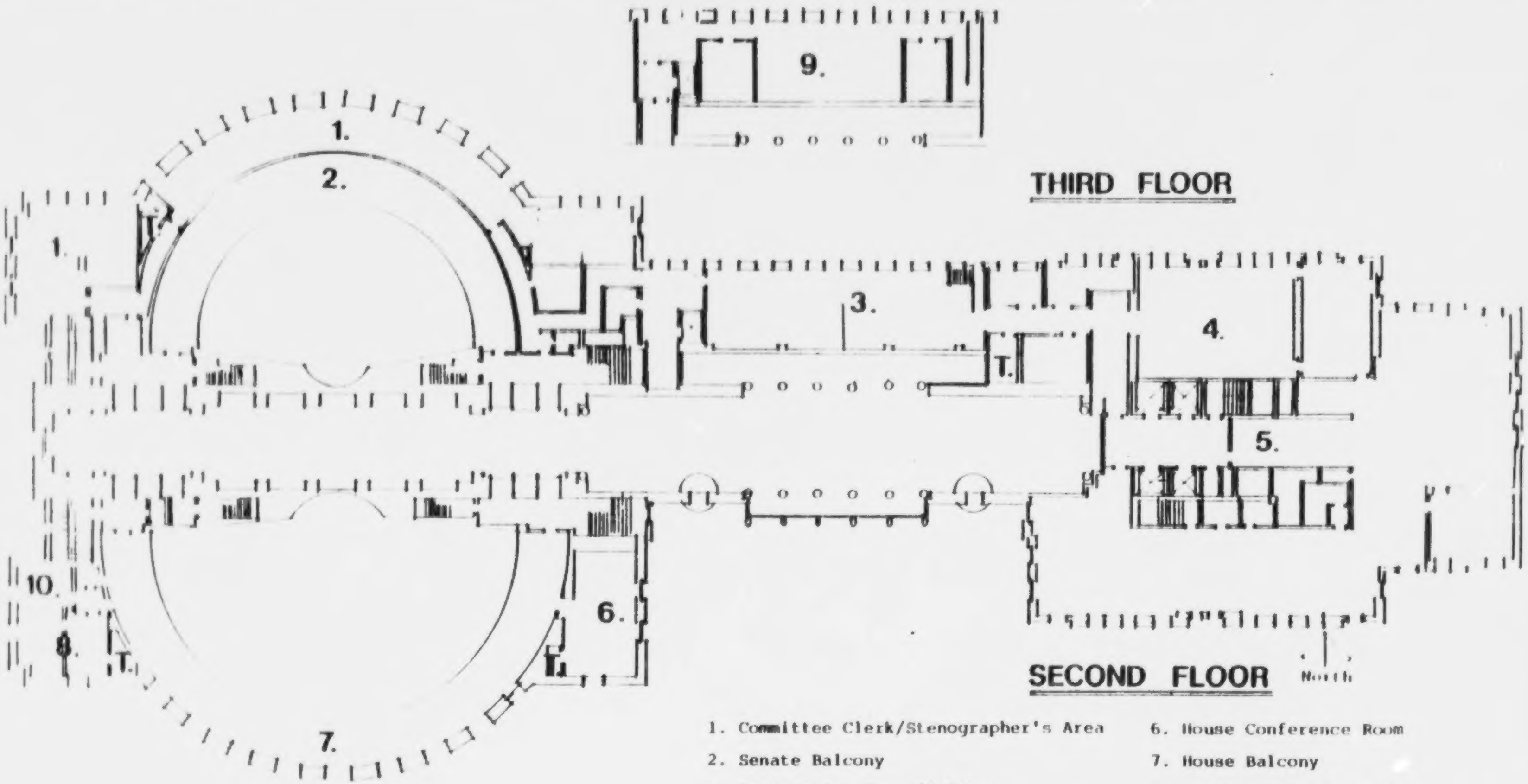
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THIRD FLOOR
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SECOND FLOOR
North

1. Committee Clerk/Stenographer's Area
2. Senate Balcony
3. Legislative Council Library
4. Prairie Room G-15
5. Legislative Council Suite
6. House Conference Room
7. House Balcony
8. House Speaker's Suite
9. Legislative Data Processing
10. Chief Clerk of the House

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NORTH DAKOTA CLOSE UP
PROGRAM EVALUATION SHEET STUDENT

This is the ninth North Dakota Close Up Experience. We need your help to improve the program for future participants.

Please evaluate the program by answering the following questions and add any comments which you think would make future programs even better. Additional space is available on the reverse side of this form.

You will be asked to tear out this form and give it to the Close Up staff during the final wrap up session on Tuesday morning, February 16.

1. Please describe one of the pre-activities in which you participated to prepare for this state program:

   Was this pre-activity helpful to you in being able to more meaningfully participate in the state program? Why or why not?

2. Which activity or event did you find most helpful/interesting during this Close Up of the Legislative Branch? Please explain.

3. Which activity or event did you find least helpful/interesting during this Close Up of the Legislative Branch? Please explain.

4. After studying the suggested list of post-activities and selecting one or, having developed a post-activity of your own, please describe such an activity and tell us why this will help you "extend" this experience.

5. We need some general observations from you!

	Super	Good	Fair	Poor	Comments
A. The Close Up Guide:					
B. The speakers (your list): ____________ ____________					
C. The accommodations:					
D. The group workshops:					
E. The floor action of House/Senate:					
F. Overall, North Dakota Close Up:					

☐ STUDENT ☐ TEACHER

PROGRAM EVALUATION CONTINUED
STUDENT AND TEACHER

You will be asked to tear out this sheet and to hand it in to the Close Up staff prior to your departure in February. Please use this space to add any additional comments or suggestions to help improve the program for future participants.

Thank you for taking the time to complete the program evaluation.

PRELIMINARY AGENDA

SUNDAY, February 14, 1993

2:00 - 5:00 p.m.	Hotel	Registration
5:00		Dinner
5:45		Welcome, Dr. Sanstead, State Superintendent
6:00		Dr. John Splaine
6:30		Question and Answer
7:00		Small Group Sessions - Assigned Rooms
		Students - Organization and Planning
		Teachers - Inservice Training
8:00		Room Transfer
8:15		Student Mixer
9:30		Free Time
11:00		Bed Check

MONDAY, February 15, 1993

7:30 a.m.	Hotel	Breakfast Buffet
8:45		Bus Transfer - State Capitol
9:00	State Capitol	Observations - Committee Hearings
12:00		Lunch
1:30		Observe Legislature
3:00		Board Buses
3:15		Transfer to Hotel
3:30	Hotel	The Lobbyist Role
4:00		Small Group Sessions
		Students - Preparation
		Teachers - Inservice Training
5:45		Free Time
7:00		Banquet
7:45		The Role of the Media
8:15		Question and Answer Sessions
8:30		Dance
11:30		Bed Check

TUESDAY, February 16, 1993

7:30 a.m.	Hotel	Breakfast Buffet and Check-Out
8:30		Small Group Sessions
		Students - Mock Committee Hearings for Students
		Teachers - Inservice Training
10:00		Simulated Floor Action - Full Group
11:30		Wrap Up
12:00 p.m.		Box Lunch

Section 2

Student Guide

PLANNING FOR THE STATE CLOSE UP EXPERIENCE

This PARTICIPANT GUIDE will prepare you to participate actively and successfully in the state Close Up Experience. Teachers and students who have attended previous Close Up programs strongly recommend that all participants be familiar with the format and content of the Guide. The fast pace of Close Up does not give you a lot of time to study. In fact, you can have a lot of fun and learn a lot more if you have some idea of what to expect.

First, a brief look at the format of this booklet. It is divided into five major sections:

1. Introduction--this section provides you with a National Profile of the Close Up Foundation and the goals of the North Dakota Close Up Program.
2. Student Guide--this section identifies participant responsibilities and offers some helpful hints for corresponding with government officials.
3. State Government--this section gives an overview of North Dakota State government, provides general information on the legislative branch, and assists you to understand the legislative process and how laws are enacted.
4. Miscellaneous Information--this section examines how government is influenced by the media and special interest groups.
5. Program Activities and Selected Issues--This section will prepare you to be an active participant in the simulation and student activity portion of the February program event.

IN ORDER TO PREPARE FOR THE 1993 EXPERIENCE, IT IS IMPERATIVE THAT STUDENTS DO EXPLORATORY WORK ON THE TOPICS SELECTED FOR DEBATE DURING THE EVENT. NEWSPAPERS, MAGAZINES, RADIO, TELEVISION AND THE PUBLIC LIBRARY ARE EXCELLENT SOURCES OF INFORMATION. ASK YOUR TEACHER TO BRING SPEAKERS TO THE CLASSROOM OR TO SCHEDULE VISITS WITH INDIVIDUALS, GROUPS OR ORGANIZATIONS FROM THE LOCAL COMMUNITY THAT HAVE EXPRESSED AN ADVOCACY OR OPPOSING VIEWPOINT.

There are several unnumbered pages located in the very back of the Guide to facilitate note-taking during the experience, or to jot down questions to ask presentors.

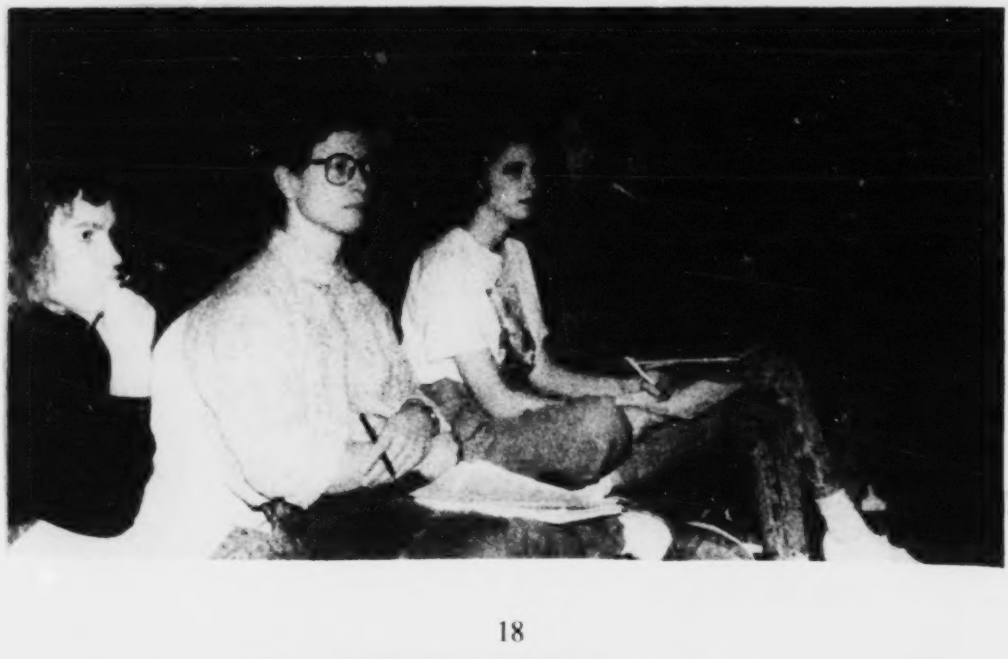
This guide is not meant to cover all the information about the legislative branch of North Dakota government. We hope that it sparks your interest and helps you to actively participate in February.

STUDENT RESPONSIBILITIES

- Study the North Dakota Close Up Participant Guide
- Read state newspapers
- Listen and watch for information relating to local and state government
- Become knowledgeable about the role and functions of local and state government, media and lobbying
- Be knowledgeable about the information located in the Appendices of this booklet
- Be knowledgeable of expectations of participants involved in Close Up
- Agree to conditions listed on official Close Up forms
- Bring the North Dakota Close Up Participant Guide to Bismarck.

CLASSROOM/INDIVIDUAL ACTIVITIES

- Study local issues
- Complete research projects
- Organize and conduct debates
- Observe local government in action, e.g., school board, city commission, township board
- Conduct surveys of students and community members
- Interview legislators, community members, local government officials, lobbyists, and/or media personnel
- Invite a panel of government officials, media personnel and/or lobbyists into the classroom
- Conduct mock sessions, e.g., meetings of the city council, township, school board, or county commission
- Develop scrapbook(s) on issues and/or local and state government
- Research background information on the five critical issues facing education in North Dakota.



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STUDENT PARTICIPANT GUIDELINES FOR THE STATE CLOSE UP EXPERIENCE

In order to have the best possible Close Up Experience, a few rules must be followed by the students:

- Students are expected to cooperate at all times with teachers and the Close Up staff.
- Defacement or theft of property or facilities which Close Up utilizes is strictly prohibited.
- Possession and/or use of alcoholic beverages or illegal drugs by students is absolutely forbidden.
- The smoking of cigarettes is prohibited throughout the Close Up Experience.
- At no time are male students permitted to visit in female students' hotel rooms and vice versa.
- Students must be in their rooms at designated bed checks.

Infractions of these rules may result in immediate dismissal of the student from the program. In case of such a dismissal, the student's school and parents are notified and the student returns home, at the student's own expense, with no refund of any payments.

DAILY PARTICIPATION

Students are required to participate actively in all scheduled daily events except in case of illness. Students are expected to bring their guide to all scheduled activities. Students are responsible to be aware of the daily schedule and to be on time at all activities. Students may not leave the hotel or the group unless specific permission is granted by the teachers or the Close Up staff.

GENERAL GUIDELINES

The Participant Guide is to be used during all educational program activities.

Nametags - must be worn at all times.

Dress - casual dress is appropriate at all functions. You may wish to dress up for the Monday evening dance.

Recognition by legislators - Any time you and/or your group are recognized during the session or at committee hearings, please stand briefly to be acknowledged.

Addressing legislators - It is appropriate to address in the following manner:
Senator Lips
Representative Gates

PREPARING QUESTIONS FOR THE STATE CLOSE UP EXPERIENCE

You can prepare some of your questions before your trip and then rework them to fit the occasion when you get to Bismarck. When formulating your questions, consider the following:

- the topic of discussion
- the speaker(s) and his or her areas of expertise
- what you really want to know--facts, definitions, opinions, relationships, emotional reactions, or evaluations

Factual Questions:	Ask for specific data about events or issues.
Defining Questions:	Ask the speaker to explain a concept, term, idea, or issue.
Opinion Questions:	Ask for the speaker's judgment without asking for a full evaluation.
Emotion Questions:	Ask for the speaker's feelings about a situation.
Evaluation Questions:	Ask for the speaker's judgment about a situation or statement and request reasons and facts to support this judgment.

- what a satisfactory answer would include.

On page 3 is the agenda including all the sessions in which you will participate. Based on your preparation for Close Up--learning about governmental processes, examining issues, reading the newspaper, watching television news--jot down a few questions you have. Then write your questions in the note paper provided in the very back of this guide.

Think about each of your questions as you write them: Do you want to ask the speaker a factual question, or a defining question? Do you want to know the speaker's feelings or opinions? Do you want the speaker's full evaluation? You will get better answers from the speakers if you ask clear, thoughtful questions.

Close Up Experience Activity

When Close Up participants are asking questions, see if you can identify the question type--factual, defining, opinion, emotion, or evaluation. This will provide you with an idea of the answer that will be forthcoming. It may also assist you in rephrasing your question(s), if appropriate.

If the question you have formulated has been posed by other Close Up participants, you may elect to: 1) rephrase your question to seek additional information or clarification, 2) formulate new questions and indicate that in your notes or 3) pass and indicate in your notes that the question had been asked by other participants.

TESTIFYING BEFORE COMMITTEES OF THE NORTH DAKOTA LEGISLATIVE ASSEMBLY

YOU HAVE THE RIGHT . . .

You have the right, as do all citizens to testify before the committees of North Dakota's Legislative Assembly as they consider any bill or resolution.

North Dakota has one of the most "open" legislatures in the nation. Every bill must have a public hearing before a legislative committee, and must be publicly voted upon by the committee, and must come before the full House or Senate for still another public vote.

Your opportunity to testify on a bill comes at the committee hearing.

Legislative committees generally meet in the rooms located on the ground floor of the Capitol's West wing. You can enter a committee meeting at any time, even if the door is closed or a hearing is in process.

Lists of legislative committees, committee members, and committee schedules are available at the legislative information desk in the hallway between the House and Senate chambers. Most of the state's daily newspapers carry listings of all bills introduced and a schedule of committee hearings. Television monitors in the legislative wing of the Capitol also provide hearing schedules.

Copies of bills and journals are available in the Joint Bill and Journal Room on the ground floor of the Capitol. You also have access there to the printed bill status report. The legislative information desk offers public terminals for searching bill status on-line. Whether on paper or on-line, the bill status report tracks all action on every bill and resolution.

HEARING BEFORE NORTH DAKOTA'S LEGISLATIVE COMMITTEES ARE GENERALLY INFORMAL AND A FEW RULES NEED TO BE OBSERVED!

BEFORE THE HEARING YOU SHOULD . . .

Find out when and where your bill will be heard. Be on time for the hearing. Usually, once a hearing is closed on a particular bill, no further testimony is taken.

Plan your testimony. It is not necessary, but it is helpful to have written--if possible, typed copies of your comments available. Be prepared to give a copy of your testimony to the committee clerk.

If other persons will be testifying on your bill, try to coordinate presentations prior to the hearing to avoid duplication.

If you are representing anyone but yourself, contact the Secretary of State's office to register as a lobbyist.

AT THE HEARING YOU SHOULD . . .

Be in the committee room at the start of the hearing. All persons present usually get a chance to speak, but sometimes because of large turnouts that is not possible. Even if you do not testify, your presence may be acknowledged and you may be asked whether you support or oppose a bill. And, you can always submit your written testimony to the committee clerk.

Sign the witness sheet provided at the podium. Clearly print your name, whom you represent, the bill number and your position for or against.

Wait your turn. The chairperson announces the beginning of the hearing on each bill. The committee clerk reads the bill. The first speaker is usually the bill sponsor. Then, the chairperson asks for testimony from proponents and opponents.

Follow the custom of addressing the chairperson and committee members by giving your name, address, whom you represent, and why you are appearing. For example: "Mr. Chairman (or Madame Chairwoman), members of the committee, my name is John Q. Public from Minto. Representing myself, I'm in favor of this bill because, etc."

Be brief. Do not repeat what others have said. Hearings are informal, so be conversational. Avoid being too technical.

Do not be nervous or worried about doing something wrong. There are no "rights and wrongs" about testifying. Legislators are just your friends and neighbors who want to hear what you have to say. Expect some questions and comments from committee members. These questions are not designed to embarrass you but merely to provide additional information. Avoid any clapping, cheering, booing, or other demonstrations.

AFTER THE HEARING . . .

Some committees vote right after a hearing; others wait until the end of the hearings scheduled that day; some postpone voting until another meeting.

Remember all committee action, including votes is public. Even though the public comment portion is over, you can stay to listen to the committee debate and take its vote. If that's not possible, contact the committee clerk or the legislative information desk to find out how the committee voted.

REMEMBER, YOU HAVE A RIGHT TO TESTIFY ON ANY BILL BEFORE A LEGISLATIVE COMMITTEE. NORTH DAKOTA LEGISLATORS WANT TO HEAR WHAT YOU HAVE TO SAY.

(Contact the Legislative Council office for copies of the brochure: How to Testify at the North Dakota Legislature)

Submitted by the Legislative Council

Section 3

State Government and How the Legislative System Works

STATE GOVERNMENT

The North Dakota system of government is modeled after our federal system. Under our federal system states keep considerable power. The Tenth Amendment to the U.S. Constitution declares that states retain all powers (reserved powers) other than those denied or granted solely to the federal government (delegated powers). Therefore, since the federal government is responsible for national defense, treaties with other countries, coining money, etc., the states are without power in those areas. States do have broad jurisdiction in a wide range of other areas including criminal law, property rights, education, public health and welfare, highways and local government.

State government consists of legislative, executive and judicial branches.

1. Legislative Branch

   Like the federal Congress, our legislature proposes legislation, holds hearings and votes on proposed legislation. Unlike the Congress, our legislature is required by the North Dakota Constitution to take final action on each and every bill introduced. In the North Dakota legislature, a bill cannot be killed in committee. Both houses of the legislature must pass a bill in order for it to come to the Governor's desk to be signed or vetoed.

   During hearings on bills, the public may offer testimony directly to the committee either supporting or opposing the bill.

   When the bill comes to the Governor he may decide to sign it, not to sign it, allow it to become law without his signature, veto the entire bill, or he may veto a line item or items in appropriation bills only. If a bill is signed, it becomes law July 1 of that year. The legislature may pass an emergency clause by a two-thirds vote. In that case, the law becomes effective upon being signed. If the Governor vetoes a bill, the legislature may pass it over his veto by a two-thirds vote.

2. Executive Branch

   When a bill becomes law, it is generally the duty of the governor and the agencies under his control to implement those laws. The laws may pertain to other elected officials or the judicial branch, in which case those officials would implement the law.

   Because North Dakota has so many elected officials, more than any other state, the Governor's authority is somewhat diluted in that each elected official can set his or her own policies, rules and regulations, without the Governor's approval.

   In North Dakota only the Governor has authority to issue executive orders which have the force and effect of law. The Governor also has responsibility for compiling and submitting the budget for all of the executive offices in state government.

The Governor can and does establish Commissions or task forces to study questions and make recommendations. There are 15 officials who are appointed by the Governor. These appointees manage such agencies as the Department of Health, Human Services, Transportation and others.

3. Judicial Branch

The judicial branch of North Dakota government interprets the laws passed by the legislature and signed by the Governor. The constitution of North Dakota provides for the election of judges on a nonpartisan basis. The debate about whether state judges should be elected or appointed is an ongoing one. The Judicial Branch is divided into four permanent courts: The Supreme Court, District Court, County Court, and Municipal Court. In 1987 a temporary Court of Appeals was also established. Only the Supreme Court and the District Courts are constitutional courts. All other courts in the state are statutory courts.

In the criminal justice system, the judiciary, or court system, has three general functions. First is the speedy determination of guilt or innocence of individuals who are charged with criminal offenses. The second function is the sentencing of those individuals convicted of crimes. Third is the protection of rights of the offender. The court accomplishes these functions by the trial of an accused offender.

THE ROLE OF THE EXECUTIVE BRANCH IN THE LEGISLATIVE PROCESS

The relationship between the executive and legislative branches of government in North Dakota is one that is continually evolving. It is a relationship built on communication . . . one that only works as a result of cooperation.

The need for cooperation and communication between the executive branch and the legislative branch can best be understood by examining a bit of our state's history. When North Dakota became a state in 1889, its citizens had already experienced 28 years of territorial government.

Their reflections on the quality and trustworthiness of that government are evident in the state's constitution. When the delegates to North Dakota's first Constitutional Convention met in Bismarck on July 4, 1889, they voiced their suspicions of government in the new constitution. The structure of the territorial government had often been corrupted by those who held office and, frankly, they intended to insure it would never happen again in the new State of North Dakota.

The constitution they wrote is three times as long as the federal government's constitution. It is surprisingly specific, flatly reserving the power of government for the people. It insures that the citizens have the power to make laws (initiative), to recall public officials and to withdraw laws (referendum) from the books. It reserves for the people the right to amend the constitution, but it makes the process accessible.

All of this is important in understanding the relationship between the executive branch and the legislative branch because certain powers were granted to each. The writers of the constitution placed restraints on the powers of both the governor and the legislature--delicately balancing the duties and responsibilities of governing the new state between the branches of government.

While the constitution makes the governor responsible for the government of the state, it strictly limits the governor's accountability and provides a check and balance that accommodates differing political interests. This was achieved by decentralizing the executive branch of government. North Dakotans elect 14 independent office holders. Each carries out the various programs according to the public mandate and the will of the people, not necessarily according to the will of the head of the executive branch--the governor.

This makes being governor of the State of North Dakota a difficult job. The governor does not have complete authority over the executive branch or over the administration of state government. However, the governor does control 14 key departments of government. In addition, the state's chief executive appoints the members of some 90 boards, commissions and agencies that control or influence other areas of public policy.

The job of governor requires a complex blend of talents and skills. First of all, the governor is an administrator with control over much of the state's budget. Secondly, the governor is a

coordinator. The influence of the position allows the governor to bring various groups and individuals together, encouraging them to work together for a common goal.
The governor is a manager, with responsibility for personnel and the operation of agencies under his control. This includes commanding the state's militia, or National Guard, when they are not in the service of the federal government; acting as a judge in the official role as chair of the Pardon Board, granting pardons for offenses against the state; and acting as the state's ambassador to other states and, in many cases, to foreign governments.

But, perhaps most importantly, the governor is an active participant in the legislative process. The governor has a responsibility to develop and submit to the legislature prior to the beginning of the session an Executive Budget. This important document outlines the governor's recommendation for the operation of the Executive Branch of state government. It includes suggested funding levels for state government programs and, if necessary, recommendations for tax increases to pay for needed government services.

The Executive Budget usually becomes the blueprint for government spending. While it is only a starting point and is subject to legislative review, change and approval, it can have a significant influence on policies and programs by bringing needs, benefits, issues and potential conflicts to light.

The process of developing the Executive Budget is one of the governor's most important functions. It takes many months and involves a great deal of study. Many decisions are made at each of the various steps in the process that eventually produces the budget blueprint.

Governor George Sinner presents
the executive budget to the legislative assembly.

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The governor has another influential method of focusing attention on priorities. At the beginning of each legislative session, the governor is charged by the constitution with communicating to the assembly the condition--or state of the state "recommending such measures as he/she shall deem expedient." These two procedures are the governor's formal methods of formulating and communicating proposals for public policy to the legislature.

Once the legislature is in session, the governor helps provide information from the agencies of the executive branch on bills being considered. Inasmuch as most of the programs enacted by the legislature are carried out by agencies in the executive branch, this information and cooperation can be invaluable.

One agency that is especially important during the legislative process is the Office of Management and Budget. In conjunction with the State Tax Department, they provide revenue forecasts estimating the state's income over the biennial budget period. This "financial planning" is an important and necessary part of the legislative session.

The governor also has the authority to sign bills into law or, if the bill is not considered to be in the best interest of the state, to veto it, sending it back to the house where it was first introduced. The legislature can override the veto with a two-thirds vote in each house.

The governor may also express displeasure with a bill by "leaving it on the desk." If the governor has neither signed, nor vetoed a bill after three days (excluding Sundays), it becomes law without his/her signature.

If the legislature adjourns and the governor has several bills to act upon, he/she has 15 days to take one of the three actions--sign it, veto it or leave it on the desk, whereupon it becomes law.

Importantly, the governor of North Dakota also has the power of "line item veto." This allows the governor to veto a part of an appropriations bill, while letting the rest stand. This also allows the governor to influence spending for individual items or programs and diminishes the legislature's ability to "jackpot" appropriations.

The constitution strictly prohibits the governor from threatening or implying the use of a veto. This is designed to minimize the governor's influence on the legislative process, as a threatened veto could diminish support or enthusiasm for a bill. However, the executive budget process, the State of the State message and the testimony process provide the executive branch with ample opportunity to make a case for or against measures the governor supports or opposes.

The governor's role in the lawmaking process, like that of the entire executive branch, is one of communication, coordination and cooperation with the legislative branch. The governor definitely holds a leadership role in defining the condition and priorities of the state, both through the executive budget and the State of the State message. When added to the veto power, these functions make the governor an important participant in the legislative process.

Just as the Main Street in your community runs two ways, so do the lines of communication and cooperation between the executive and legislative branches of government. Both branches must work together to create and maintain a good system of government for the people of North Dakota.

THE ROLE OF THE STATE LEGISLATURE

The legislature is the policymaking branch of government. It decides on the policies or laws to be followed by the people of the state. Since this is such a major function of the legislature, many people forget that the legislature performs a whole range of functions.

1. Pass Laws - The vast majority of the legislature's time is taken up with passing laws. Every session the North Dakota Legislative Assembly handles close to 1,000 proposals of laws.

2. Oversight - A growing responsibility for the state legislature is called "oversight." This term refers to the task of overseeing the activities of government to be sure that the money and powers given to state and local governments are being handled the way the legislature intended.

3. Constituent Service - Legislators are frequently asked by their constituents (people who live in their districts) to help them in dealing with government.

4. Approve Executive Appointments - Under the system of "checks and balances," the three branches of government are to serve as checks on each other. One of the checks is the requirement that key appointments made by the governor be approved by the legislature before the appointments can become final.

5. Caretaker of the State Constitution - The legislature proposes most amendments to the state constitution. As a consequence, each session of the legislature proposes several amendments to the people for their consideration.

6. Represents the State In the Federal System - Since 25 of the 26 amendments to the United States Constitution were submitted to the state legislatures for consideration, it is safe to say that the legislature represents the state in deciding which amendments to the U.S. Constitution will be adopted.

7. Express Opinions - The legislature also passes resolutions of different kinds expressing opinions on behalf of the state and federal agencies and officials, to other states, to interstate organizations, or to anyone else it chooses. Sometimes these resolutions are joint (both houses) resolutions and sometimes they are passed by just one house.

Omdahl, Lloyd B. 1991-93 Governing North Dakota. Grand Forks, ND: University of North Dakota Bureau of Governmental Affairs.

ORGANIZATION OF THE LEGISLATIVE BRANCH

North Dakota state government is patterned after the federal government with three separate but equal branches as provided for in the state constitution. The Senate and House of Representatives constitute the Legislative Assembly.

The Senate consists of 53 members; the House of Representatives has 106. Senators serve terms of four years with approximately half up for election every two years based on whether they are from even-numbered or odd-numbered legislative districts. Even-numbered Senators run in Presidential election years; odd-numbered in non-Presidential years. Representatives serve two-year terms; all 106 members are up for reelection every two years.

Meeting on a biennial basis, the Legislative Assembly convenes on the first Tuesday after January 3 but not later than January 11 of odd numbered years. Adjournment is generally March or April. The 53rd Legislative Assembly convenes the first week in January 1993.

The Constitution gives the Legislative Assembly the option of using 80 natural days on other than a consecutive basis during the biennium. Although that reconvened option is available, the Legislative Assembly has only employed it once: reconvening in the fall of 1981 to reapportion.

The Constitution permits the Legislative Assembly to meet in the month of December in even-numbered years for the purpose of orientation and organization. The Constitution also grants the Legislative Assembly the authority to establish its own rules.

It is customary for the members of the House and Senate to organize along political party lines. Members of each political party from the respective houses meet in caucus to select leadership. Leaders of each caucus and particularly the majority leaders of each house are recognized as having considerable power in the legislative structure.

The House of Representative elects one of its members to serve as Speaker. In North Dakota, there is a tradition that each Speaker serves only one term. The Lieutenant Governor, although a member of the executive branch, serves as President of the Senate, voting only in case of a tie. The Senate elects one of its members as President Pro Tempore to preside in the absence of the President.

Much of the work of the Legislative Assembly is conducted by committees. The rules adopted by each house provide for a certain number of committees based on subject matter. Legislators are asked on which committees they wish to serve and then are appointed to specific committees. In the House appointments are made by the Speaker and in the Senate by the Committee on Committees. Political parties generally are represented on committees in approximately the same proportion that they represent in the respective houses.

After a bill or resolution is introduced, it is referred to the committee that handles the appropriate subject matter. Public hearings are held with members of the public welcome to appear and testify. In North Dakota committees cannot kill bills but must report back to the floor every bill for a recorded roll call vote. After a bill passes one house it goes to the other house following exactly the same procedure.

Once a bill passes both houses, it goes to the Governor for consideration. The Governor may sign a bill, veto it, or refuse to sign thereby allowing the bill to become law without a signature. A vote of two-thirds of the legislators in both houses is necessary to over-ride a veto.

(For a more detailed review of the legislative process, use the University of North Dakota's Bureau of Governmental Affairs paperback: Governing North Dakota.)

Submitted by the Legislative Council

THE ROLE OF THE LEGISLATIVE COUNCIL

The North Dakota Legislative Council which consists of 15 legislators was created in 1945. Until 1969 the body was known as the Legislative Research Committee. By statute, the Legislative Council consists of seven senators and eight representatives, including the majority and minority leaders of both houses and the Speaker of the House of Representatives. The statute provides that the Speaker appoints five other representatives, two from the majority and three from the minority from a list of nine members recommended by each party. The Lieutenant Governor, as President of the Senate, appoints three senators from the majority and two from the minority from a list of seven members recommended by each party. The Legislative Council is thus composed of eight majority party members and seven minority members, depending on which political party controls the senate.

The Council elects a chair from its membership. At the end of each legislative session, a new Legislative Council is named. Although the Legislative Council has the authority to initiate studies or other action deemed necessary between legislative sessions, much of its work results from study resolutions passed by both houses. Following the close of a regular legislative session, the Council meets to determine studies and designate interim committees. Legislators serve on one or more interim study committees.

Several interim committees, such as the Administrative Rules Committee, the Budget Section, the Garrison Diversion Overview Committee, the Legislative Audit and Fiscal Review Committee, and the Retirement Committee, are statutorily established or perform duties imposed by state law.

Between sessions, the interim study committees conduct meetings to hear testimony; to review information provided by staff, state agencies and interested parties; and to consider alternative approaches to issues raised. Interim committees submit the results of their work to the Legislative Council, the November preceding a legislative session. At that time the Council accepts, rejects, or amends committee reports. The Council then presents recommendations it has accepted, together with bills and resolutions necessary for implementation, to the Legislative Assembly. The Legislative Council is, in a sense, the Legislative Assembly working between the sessions.

In addition to conducting studies, the Legislative Council, through its staff, provides a wide range of service to legislators, other state agencies, and the public. The Council supervises the publication of the session laws, the North Dakota Century Code, the North Dakota Administrative Code; handles the financial administration of the legislative branch; develops and provides computer services for the Legislative Assembly; considers problems of statewide significance that surface during an interim; represents the Legislative Assembly at interstate organizations such as the National Conference of State Legislatures, Council of State Governments, the Midwestern Legislative Conference, the Five State Legislative Conference, and the National Conference of Commissioners on Uniform State Laws.

Attorneys on the Legislative Council staff provide legal advice on legislative matters to legislators and legislative committees. The Council also has on its staff the Legislative Budget Analyst and Auditor who, with assistants, provide technical expertise to budget and appropriations committees and who reviews audit reports from the Legislative Audit and Fiscal Review Committee. A data processing division provides computer services including research, bill drafting, and publishing capabilities. The Legislative Council library collects and maintains materials of contemporary and historical legislative reference.

Nearly every facet of state government has been influenced by one or more of the Legislative Council's interim studies over the past 40 years. Statutory revision, government reorganization, and creation of laws affecting development of coal, oil and gas resources have been highlights of several interim studies. Also considered during a number of interims was the expansion of the University of North Dakota Medical School. Additional subjects which have been regularly studied include school finance, higher education issues, property tax levies, legislative rules, energy development, and court systems.

Perhaps the most value to citizen legislators are the Legislative Council committees which permit members to keep up with rapidly changing developments in complex fields. Among those are the Budget Section which receives the executive budget just prior to each legislative session. Another example is the Administrative Rules Committee allowing legislators to monitor executive branch department rules and regulations.

Submitted by the Legislative Council

LEGISLATIVE STANDING COMMITTEES

While the entire legislative process is important, the real work is done in the standing committees. These are committees of legislators organized to research and review bills relating to particular subjects, such as agriculture, natural resources, or transportation. Unlike interim committees, standing committees operate during the legislative session and consist of members of one house. Bills are introduced in either House. After a first reading, they are assigned to a standing committee. Agriculture bills introduced in the House are assigned to the House Agriculture Committee, those introduced in the Senate are assigned to the Senate Agriculture Committee.

When a bill is sent to committee, the committee studies it and makes recommendations. The committee may make amendments to the bill; however, all bills that are sent to committee must be reported to the floor of the legislative chamber.

Once the committee has examined the bill and made its recommendations, it is sent to the floor of the House or Senate for action.

There were 11 standing committees during the 1991 legislative session and one joint committee:

Committee Names	Senate Committee Members	House Committee Members
Agriculture	7	17
Appropriations	14	23
Education	7	17
Finance and Taxation	7	16
Industry, Business and Labor	8	16
Judiciary	8	16
Natural Resources	7	16
Political Subdivision	8	17
Human Services and Veterans Affairs	7	15
State and Federal Government	7	15
Transportation	8	15

The joint committee on constitutional revision was made up of five members of each house and its job was to study and recommend proposals for amending the state constitution.

The speaker of the house and the president of the senate determine which bills are assigned to the standing committees of their respective house.

The organizational session for the 1993 53rd Legislative Assembly was held in December, 1992.

BILLS AND RESOLUTIONS

Bills, if passed by the Legislative Assembly, become law. Resolutions are used to express legislative opinion or intent, and to propose state constitutional amendments or to approve amendments to the U.S. Constitution.

Who May Originate A Bill or Resolution?

Although bills or resolutions may be proposed or initiated by lobbyists or individuals, they must be sponsored by someone within the legislative system and they must be introduced in one of the house chambers. Each executive agency and the Supreme Court shall file those bills they wish to have introduced with the Legislative Council during the organizational session, or thereafter, but no later than December fifteenth prior to the ensuing regular session. Such bills will be deemed introduced by the standing committee of the House or Senate with general jurisdiction over the subject matter of the bill. The Legislative Council will deliver those bills to the President of the Senate or the Speaker of the House for recording and numbering. Executive agency and Supreme Court bills will be identified by noting the name of the agency or the court under the name of the sponsoring committee.

In North Dakota, individuals may initiate laws through a petition system. The proposed law is then put on the ballot to be voted on by the public.

How Is A Bill or Resolution Introduced?

A bill or resolution is introduced in one of the house chambers. However, members of both houses may co-sponsor a bill. Introduction for proposed legislation may be made by 1) Legislators, 2) Standing Committees, or 3) the Legislative Council.

Once a bill or resolution is introduced to a chamber, it is checked for correct style and form and given a bill number. House bills begin with the number 1001 and Senate bills begin with 2001.

Information on page 40 depicts "HOW A BILL BECOMES A LAW" which is a copy of a brochure provided through the courtesy of the North Dakota Association of Realtors.

Single House Resolutions

A single house resolution is voted upon only by the house of introduction and may be used to take action affecting its own concerns or procedures.

Memorial Resolutions

A memorial resolution is used by a single house to express condolences.

Concurrent Resolutions

A concurrent resolution must pass both houses of the legislative assembly. It is used for proposing constitutional amendments, directing Legislative Council studies, expressing legislative approval, authorizing expenditures, or expressing an opinion to Congress or to the President.

DRAFTING OF BILLS AND RESOLUTIONS

The original of each bill or resolution must be filed with the Secretary of the Senate (Clerk of the House) and must be prepared in the form prescribed by the Legislative Council. The bill or resolution must be submitted to the Legislative Council for approval of form and style before it can be introduced to the Legislative Assembly.

The following checklist reviews form and style requirements:

1. Do the words Fifty-third Legislative Assembly of North Dakota appear in the upper left-hand corner of the first page, and the words Fifty-third Legislative Assembly appear in the upper left-hand corner of each subsequent page?

2. Do the words SENATE BILL NO. or HOUSE BILL NO. appear at the top of the first page of the bill? An agency filing a bill for introduction as an agency bill under Joint Rule 208 may express a preference for the house of introduction but the presiding officer will make the final decision concerning house of introduction.

3. Does the first page contain the words Introduced by followed with the name of the sponsor (or sponsors) below it? If an agency is filing the bill or resolution, is the correct title of the agency used?

4. Does the bill or resolution have a proper title? Are "create" sections referred to first, "amend" sections second, "repeal" sections third, and "special clauses" last? Does each group have a "relating to" clause?

5. Does the bill have the proper "enacting clause" or the resolution have the proper "resolving clause?"

6. Have the sections of the North Dakota Century Code been listed properly in the title, and have they been arranged in numerical order by Century Code section number in the body of the bill?

7. If the bill creates a new numbered section or subsection of the North Dakota Century Code, has the approval of the code revisor of the Legislative Council been obtained?

8. If the bill contains amendments to the North Dakota Century Code, has all new material been properly underscored, has all material to be deleted been overstruck by dashes, and has it been typed from and proofread against the Code?

9. Does all overstruck material being replaced with new material occur before the underscored material?

10. Have all words been written out? Do not use abbreviations.

11. Have all references to "and/or" been removed?

12. Do all created sections contain a caption?

13. Do the amending and repeal clauses specify the source, i.e., 1989 Supplement, if necessary?

The "North Dakota Legislative Drafting Manual" contains specific instructions for the drafting of bills and resolutions, including sections on the following:

- Amendments to bills and resolutions
- Enrolling and engrossing process
  - Engrossing--process of incorporating all amendments approved by a legislative chamber into a bill or resolution.
  - Enrolling--the Legislative Council staff checks the final bill or resolution to make sure that it contains all proposed amendments. This is done after the final legislative action, prior to presentation to the Governor for approval or veto.
- Style and grammar guidelines

The manual also contains examples of bill drafts and resolutions.

AMENDING A BILL OR RESOLUTION

Use of Overstrike and Underscore

In amending the Century Code or Session Laws, extreme care should be taken that each amended section conforms exactly to the existing law, including punctuation. Any material contained in a section of the Century Code or Session Laws which is to be deleted by an amendment to that section must be shown in the typewritten bill, and must be indicated by being overstruck by dashes. All new material inserted in an existing section must be underscored. New material (indicated by underscores) replacing old material (indicated by overstrikes) should follow the old material being replaced. Whenever possible, existing language should be retained. Punctuation within a Century Code or Session Laws section may not be changed unless handled as an amendment. If a word is to be changed from singular to plural or vice versa, all of the old word must be overstruck and all of the new word must be underscored. If amendments to the existing law are included in a bill creating new law, all new material must be underscored except for certain special clauses. When a bill contains only new law, the new material should not be underscored.

Example - A Section of a Bill Deleting a Subsection of a Section of the North Dakota Century Code

Fifty-second
Legislative Assembly

SECTION 4. AMENDMENT. Section 40-02-01 of the North Dakota Century Code is amended and reenacted as follows:

40-02-01. Requisites of incorporation as city ~~or village~~. Any contiguous territory in this state, not exceeding four square miles [1035.99 hectares] in area, not already included within the corporate limits of any incorporated ~~municipality~~ city, may become incorporated as a ~~village or~~ city whether ~~such~~ the territory is located in one or more counties, under the following conditions:

~~1. If such territory shall have residing therein a population of not less than one hundred inhabitants, it may become incorporated as a village.~~

~~2.~~ If ~~such~~ the territory ~~shall have~~ has residing therein a population of not less than ~~two~~ fifty nor more than five hundred inhabitants, it may become incorporated ~~as a village or~~ as city under the council or modern council form of government~~:~~.

3. 2. If ~~such~~ the territory ~~shall have~~ has residing therein a population of not less than five hundred inhabitants, it may become incorporated ~~as a village or~~ as a city under the council or modern council form of government, or as a city under the commission form of government.

Information and examples taken from the 1991 "North Dakota Legislative Drafting Manual" prepared by Legislative Council.

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Example - A Bill Creating a New Numbered Chapter of the North Dakota Century Code

Fifty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representatives Berra, Maglie, Mantle, Markel, Unrath

A BILL for an Act to create and enact chapter 38-16 of the North Dakota Century Code, relating to annual reports to the state soil conservation committee on surface mining operations for minerals other than coal, annual reports to local soil conservation districts, and exemption of certain surface mining operations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Chapter 38-16 of the North Dakota Century Code is created and enacted as follows:

38-16-01. Surface mining operation - Report required. Except as provided for in section 38-16-06, a person may not conduct a surface mining operation without complying with the reporting requirements of this Act.

38-16-02. Annual report to committee - When filed - Contents. Any person conducting a surface mining operation shall file with the state soil conservation committee a report on each surface mining operation conducted during the calendar year. The report must be filed on or before December thirty-first.

Example - A House Concurrent Resolution for Creation of a New Section of the Constitution

Fifty-second
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO.

Introduced by

Representatives Pipgras, Wanninger

(Approved by the Committee on Delayed Bills)

A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to the time of taking effect of laws changing compensation of members of the Legislative Assembly.

STATEMENT OF INTENT

This amendment would delay the effectiveness of legislative compensation changes until the next regular session of the Legislative Assembly.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the following proposed new section to article IV of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of the State of North Dakota at the general election to be held in 1992, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. A new section to article IV of the Constitution of North Dakota is created and enacted as follows:

No law varying the compensation for members of the legislative assembly may take effect until an election of members of the house of representatives has intervened.

Example - Amendments to a Bill as Introduced

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1250

Page 1, line 27, remove the overstrike over "~~three~~" and "~~fifty~~" and remove "four"

Page 2, line 1, remove "seventy-five"

Page 2, line 4, remove the overstrike over "~~five~~" and remove "six" and "and fifty cents"

Page 2, line 6, remove the overstrike over "~~eight~~" and "~~and fifty~~" and remove "ten"

Page 2, line 7, remove the overstrike over "~~cents~~"

Page 2, line 10, replace "from July 1, 1989," with a period

Page 2, remove lines 11 and 12

Page 2, line 18, after "receipt" insert "or the certificate of a member of the legislative assembly"

Page 2, line 21, replace "thirty-three" with "thirty"

Page 3, line 3, overstrike "The travel"

Page 3, overstrike lines 4 through 8

Page 3, line 17, replace "thirty" with "twenty-five"

Page 3, line 20, overstrike "thirty" and insert immediately thereafter "thirty-five"

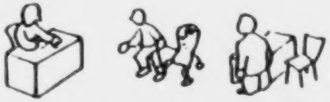
Page 4, line 8, after "aircraft" insert ", except for leased or rented private aircraft from a recognized fixed base aviation operator who is in the business of leasing and renting private aircraft and is located on an airport open for public use"

Page 4, line 33, replace "thirty" with "twenty-five"

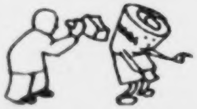
Renumber accordingly

HOW A BILL BECOMES A LAW

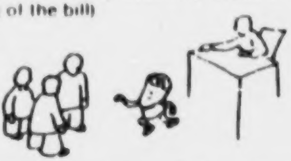
1 After the preliminary business of opening a session, the presiding officer (the Lieutenant Governor in the Senate and the Speaker in the house) calls for an introduction of bills.



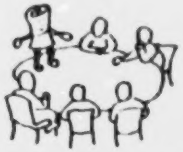
2 Any legislator may hand his bill to the bill clerk. Bills are usually prepared by the Legislative Council for introduction by a legislator. If a bill is not prepared by the Legislative Council, it must be reviewed by the Legislative Council Office for proper form and style.



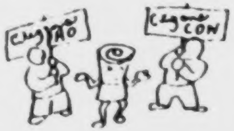
3 The bill clerk stamps a number on the face of the bill and the chief clerk of the House or the Secretary of the Senate reads the bill by title only. (This is called the first reading of the bill)



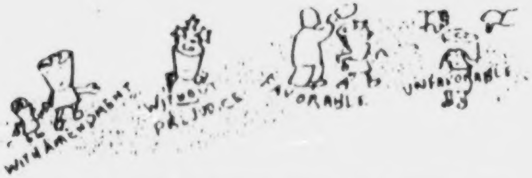
4 The presiding officer refers the bill to the proper committee.



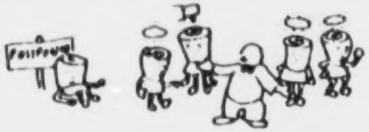
5 In committee the bill is read and discussed.



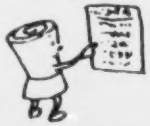
6 Public hearings are held on every bill.



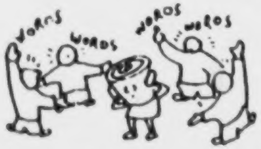
7 The full committee may (a) report the bill unfavorably, (b) report it favorable with or without amendment, (c) report it without any recommendation.



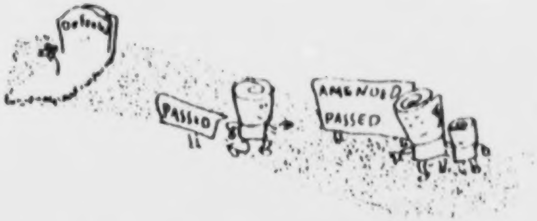
8 Each committee reports to the House or Senate on the bills which have been referred to it. All bills, regardless of type of committee report, will be placed on the calendar for final passage.



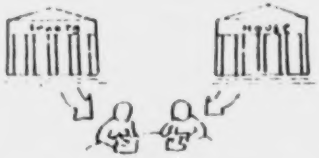
9 If the committee recommends an amendment, the amendment is placed on the calendar and adopted or rejected prior to the bill itself, being placed on the calendar.



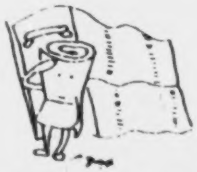
10 When a bill comes up on the calendar, it is read again. This is known as the second reading and is the time which the bill can be finally passed, or is killed. Then the bill is debated on the floor of the House or Senate.



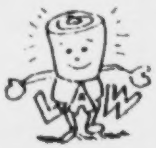
11 The bill is then (a) defeated, (b) passed. If passed the bill is delivered (messaged) to the other house.



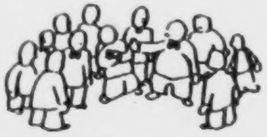
12 If second house passes the bill in the same form, it is sent to the Committee on Enrollment and Engrossment, signed by presiding officers and sent to the governor. If the second house passes the bill in a different form (amends the bill) it is sent back to the first house for concurrence. If the first house does not concur, the presiding officer of both houses appoints a conference committee.



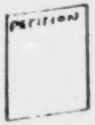
13 This conference committee makes recommendations to both houses and both houses must approve the bill in the same form. The bill is then signed or vetoed by governor. If signed, it becomes law (usually becomes law on July 1)



14 If vetoed, it can become a law by a ⅔ vote of both houses.



15 A bill, once passed, may be repealed, wholly or in part through a vote of the electorate, a referendum.



16 A law may also be proposed and acted upon by the electorate by means of an initiated measure.

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TABLE OF MOST FREQUENTLY USED MOTIONS
Adapted for use in NFL Student Congress

MOTION	PURPOSE	Second Required	Debatable	Amendable	Required Vote	May Interrupt A Speaker
24. Fix time for Reassembling	To arrange time of next meeting	Yes	Yes-T	Yes-T	Majority	Yes
23. Adjourn	To dismiss the meeting	Yes	No	Yes-T	Majority	No
22. To recess	To dismiss the meeting for a specific length of time	Yes	Yes	Yes-T	Majority	No
21. Rise to a question of Privilege	To make a personal request during debate	No	No	No	Decision of Chair	No
20. Call for the Order of the Day	To force consideration of a postponed motion	No	No	No	Decision of Chair	Yes
19. Appeal a Decision of the Chair	To reserve the decision of the chairman	Yes	No	No	Majority	Yes
18. Rise to a point of Order or Parliamentary Procedure	To correct a parliamentary error or ask a question	No	No	No	Decision of chair	Yes
17. To call for a Roll Call Vote	To verify a voice vote	Yes	No	No	1/5	No
16. Object to a Consideration of a Question	To suppress action	No	No	No	2/3	Yes
15. To Divide a Motion	To consider its parts separately	Yes	No	Yes	Majority	No
14. Leave to Modify or Withdraw a Motion	To modify or withdraw a motion	No	No	No	Majority	No
13. To suspend the Rules	To take action contrary to standing rules	Yes	No	No	2/3	No
12. To Recind	To repeal previous action	Yes	Yes	Yes	2/3	No
11. To Reconsider	To consider a defeated motion again	Yes	Yes	No	Majority	No
10. To Take from the Table	To consider table motion	Yes	No	No	Majority	No
9. To Lay on the Table	To defer action	Yes	No	No	Majority	No
8. Previous Question	To force an immediate vote	Yes	No	No	2/3	No
7. To Limit or Extend Debate	To modify freedom of debate	Yes	Yes	Yes-T	2/3	No
6. To Postpone to a Certain Time	To defer action	Yes	Yes	Yes	Majority	Yes
5. To Refer to a Committee*	For further study	Yes	Yes	Yes	Majority	Yes
4. To Amend an Amendment*	To modify an amendment	1/3	Yes	No	Majority	No
3. To Amend*	To modify a motion	1/3	Yes	Yes	Majority	No
2. To Postpone indefinitely	To suppress action	Yes	Yes	Yes	Majority	No
1. Main Motion	To introduce business	Yes	Yes	Yes	Majority	No

Taken from the Handbook for 1986-87 Speech Contests
Published by the North Dakota High School Activities
Association.

T-Time

*Nos. 3 and 4 by:
1. Inserting
2. Adding
3. Striking Out
4. Substituting
5. Striking out and inserting

NORTH DAKOTA LEGISLATURE
(FLOOR ACTION)

See page 43 for the Order of Business for the Senate and House.

Floor action relating to bills.

Once the committee has arrived at its recommendation, the bill is reported back to the full House or Senate. It is scheduled on the "calendar." The bill and its committee recommendations are then discussed by the full chamber and a decision is made. For a bill to pass and be sent to the next house, it must be approved by a "constitutional" majority, i.e., one more than half of the members elected to the body. This requirement of a constitutional majority means that an absent member is the same as a "no" vote.

When a bill is up for final passage, a recorded roll-call vote is required in which every member present must publicly cast his/her vote. To get a quick tally of the votes, electronic voting machines have been used in the House since 1947 and in the Senate since 1949.

A bill which has been passed by one house is sent to the other house where it must go through the entire procedure all over again--from introduction, first reading, committee consideration and committee recommendation to floor consideration.

When the two houses disagree over a bill, each house appoints a committee of three to meet as a joint conference committee of six to iron out the difference between the two versions of the bill. Once agreement is reached, the conference committee's recommendations for resolving the differences are presented to the two chambers. If both chambers agree with the report, the measure is then passed. If they do not agree with the report, they may appoint new conference committees to meet until agreement is reached. Sometimes they never agree and the bill dies for lack of agreement.

When the bill has been passed by both houses in exactly the same form, it is dispatched to the governor. Under the constitution, he has several options--signing it, letting it become law without his signature, or vetoing it. If he vetoes it, it takes two-thirds of both houses to override his objections.

Omdahl, Lloyd B. 1991-93 Governing North Dakota. Grand Forks, ND: University of North Dakota Bureau of Governmental Affairs.

NORTH DAKOTA LEGISLATURE
ORDER OF BUSINESS

SENATE ORDER OF BUSINESS

The Order of Business shall be as follows:

1. Prayer by the Chaplain.
2. Calling the Roll.
3. Reference to the Journal.
4. Presentation of Petitions and Communications.
5. Reports of Standing Committees.
6. Consideration of Amendments.
7. Reports of Select Committees, Procedural Committees, and certain divided committee reports.
8. Motions and Resolutions.
9. First Reading of Senate Bills and Resolutions.
10. Consideration of Bills and Resolutions on Consent Calendar.
11. Second Reading of Senate Bills and Resolutions.
12. Consideration of Messages from the House.
13. First Reading of House Bills and Resolutions.
14. Second Reading of the Same.
15. Unfinished Business.
16. Signing of Bills and Resolutions.
17. Announcements.

HOUSE ORDER OF BUSINESS

The Order of Business shall be as follows:

1. Prayer by the Chaplain.
2. Calling the Roll.
3. Reference to the Journal.
4. Presentation of Petitions and Communications
5. Reports of Standing Committees.
6. Consideration of Amendments.
7. Reports of Select Committees, Procedural Committees, and certain divided committee reports.
8. Motions and Resolutions.
9. First Reading of House Bills and Resolutions.
10. Consideration of Bills and Resolutions on Consent Calendar.
11. Second Reading of House Bills and Resolutions.
12. Consideration of Messages from the Senate.
13. First Reading of Senate Bills and Resolutions.
14. Second Reading of the Same.
15. Unfinished Business.
16. Signing of Bills and Resolutions.
17. Announcements.

LEGISLATIVE TERMS

Act of Legislature - a law (statue) adopted by the legislature.

Bicameral - a legislative assembly made up of two chambers.

Biennial - a two-year period; the North Dakota legislature meets "biennially" - every two years; as a result, the state budget is for a two-year period.

Bill - the proposal for a law to be considered by the legislature.

Calendar - the day-to-day working agenda of the house or the senate.

Caucus - an informal meeting of individuals who subscribe to a common political objective, such as the Republican caucus, the Democratic caucus.

Census - a count of the number of people within a given geographical area.

Century Code - the body of North Dakota law compiled in 14 volumes published in 1961 and updated for every legislative session.

Chambers - meeting place, e.g., house chambers, senate chambers.

Chief Clerk - head administrative officer in the house of representatives.

Committee - a subgroup of a larger body given an assignment of complete, usually with the understanding that it reports its findings back to the larger group.

Committee Report - in the state legislature, the recommendation of a committee on subjects assigned to it.

Committee on Committees - a committee created to decide the membership of other committees.

Conference Committee - in the state legislature, a committee made up of three members from each house to negotiate differences over a specific piece of legislation upon which the two houses disagree.

Confirm - approve; usually refers to approval by the senate of appointments by the governor of persons to fill governmental positions.

Constitutional Majority - one more than half of the members making up the assembly.

District - a legislative district is a geographic area designated to elect members of the legislature; a county commissioner district would be a subdivision of the county to elect a county commissioner.

Emergency Clause - adopted by the legislature to make the laws effective immediately upon signature of the governor.

Emergency Measure - a law having an emergency clause within it and becoming effective upon signature of the governor.

Initiative- the power of the people to propose their own law; to use the initiative, petitions must be circulated to secure the signatures of a specified number of qualified electors; the measure is then placed on the ballot for reflection or approval of the voters.

Interest Group - a group with a common interest that works to influence legislative bodies and administrative agencies; also called pressure groups.

Item Veto - the power of an executive to veto specific items of an appropriation bill adopted by the legislative brand.

Joint Committee - a committee made up of members from both houses of the legislature.

Joint Resolution - a resolution agreed to by both houses of the legislature.

Joint Session - both houses of the legislature meeting in one body.

Journals - the published record of the two houses of the legislature, setting forth the disposition of bills and resolutions, as well as other business; contains the voting records of legislators.

Law - a general rule for the conduct of members of the state adopted by the legislative assembly.

Legislative - having to do with legislating; branch of government consisting of the two houses of the legislature.

Legislative Assembly - denoting both houses of the legislature.

Legislative Council - a permanent staff of professional legislative aides under the direction of a 15-member committee made up of members from both houses of the legislature; created to handle legislative matters between sessions.

Legislative District - a geographical area designated for the purposes of electing members to the legislature.

Legislator - a member of either house of the legislature.

Lieutenant Governor - presides over sessions of the state senate; first in line to become governor if there is a vacancy.

Lobby - to seek to influence the decision of the legislature of executive agencies.

Lobbyist - person who seeks to influence governmental decisions.

Majority - more than half.

Majority Leader - the spokesman and leader of the political party in the legislature having control by virtue of having a majority; each house of the legislature has a majority leader and a minority leader.

Measure - a proposal; a bill or resolution in the legislature; an initiated or referred question placed on the ballot.

Minority Leader - the leader of the minority party in each house of the legislature.

Motion - a proposal for an action offered to a group by one of its members.

Override a Veto - passage of a measure over the objections of the governor.

Petition - a form bearing the names of citizens requesting action by a governmental official.

President Pro Tem - a member of the senate elected to serve as a temporary president when the lieutenant governor is not available to serve as president.

Procedural Committees - legislative committees designated to deal with the procedural problems of the legislature.

Quorum - a minimum number of members who must be present to legally conduct business.

Reading - official notice to the legislative chamber that a bill is moving through the chamber.

Redistrict - redraw the boundaries of districts designated for the election of legislators, alderman, or county commissioners.

Referral - the act of submitting an act of the legislature (or city government board in some cities) to a vote of the people by circulating petitions and securing a specified number of signatures.

Representative - member of the house of representatives in the state legislature.

Secretary of the Senate - chief administrative officer of the senate.

Session - meeting. North Dakota has a legislative session every two years.

Speaker - presiding officer of the house of representatives elected from among the members.

Special Committee - a temporary committee created for a single purpose.

Standing Committee - a legislative committee that exists throughout the session, receives all bills relating to specific subject areas, considers such bills, and makes recommendations to the full body.

Statute - a law.

Term - length of time a person is to hold office.

Unicameral - a legislative assembly consisting of one house.

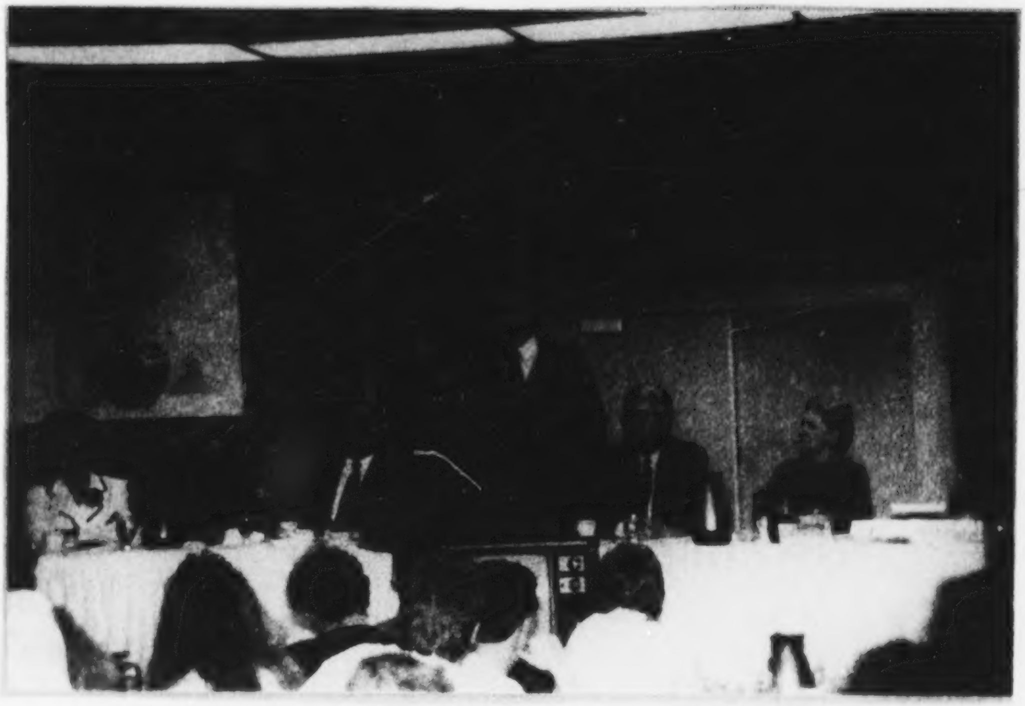
Veto - an act of the executive in which he officially refuses to go along with an act of the legislative branch.

Taken from the 1985-87 Governing North Dakota and the Constitution of North Dakota Lloyd B. Omdahl, Bureau of Governmental Affairs, UND.

Section 4

Miscellaneous Information

- The Influence of the Media and Lobbyists on the Legislative Branch
- Administrative Rules
- Election of Candidates



Dr. John Splaine, University of Maryland, addresses media issues during 1991 Close Up Program.

Darrell Dorgan, News Director for "Prairie News Journal", PPTV, chats with students.

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THE NEWS MEDIA

The press (media) in America has traditionally been referred to as "The Fourth Estate" in recognition of its important and powerful role in our political system. Since its conception, the American concept of a free press has frequently stirred controversy in our country. The controversy often stems from the question "What is the fundamental function of the press in America?" This is the question which will be discussed in this article.

Many people feel that a free press is essential to our democratic system which depends on an informed, intelligent and interested body of citizens who must make decisions that affect everyone. Some reporters have felt so strongly about the importance of a free press that they have actually gone to jail to protect the confidentiality of their sources and thus the peoples' right to know.

A paramount issue central to the question of a free press is government secrecy. That is, how much should a reporter report and how much does the public have a right to know?

Democracy is based on the principle that citizens have freedom of choice. It can be safely assumed that in order to make rational choices, people must have adequate information on which to base these choices.

The aggressive press in the U.S. provides constant exposure of government activities, thereby helping to make certain that government always operates within the limits of the Constitution.

The press has established itself as a critic of society, not merely for the sake of controversy, but in order that faults and failures be exposed to the public so they might be corrected.

Some critics of the media contend that reporters are snooping into too many governmental corners these days, suggesting that they are undermining people's faith in our institutions, while others maintain that more investigative reporting should be conducted because even with a free press, power misuse in government is still very common. If the press is restricted, the argument goes, it would only foster a system laden with graft and corruption.

Government has always tended to be suspicious of those who question or criticize its policies. Former Vice President Spiro Agnew was constantly at odds with the press, frequently criticizing and questioning their methods and motives.

President John F. Kennedy actually cancelled White House subscriptions to the New York Herald Tribune because he was displeased with the paper's criticisms of his administration's policies.

There is no question that people in positions of power have an interest in protecting themselves and might support restrictions on the media. On the other hand, the people of this country have an interest in full disclosure so they might be aware of exactly what is going on.

Perhaps if citizens, public officials and media people themselves considered that the basic function of the media is to inform rather than convince, and that it is the responsibility of the consumer to gather information from several sources and weigh, check and compare all information, there would be less controversy concerning free press in America. Unfortunately, the fact is that 60 percent of the population uses television as their primary news source. Since television news stories are short and therefore generally lacking in detail, citizens may find themselves less than fully informed on the important issues of the day.

One must also remember that the news is big business; not only is it a public service to report the news, but it can also bring a profit. Additionally, people in the news media are human beings who carry their own biases with them. Although reporters generally seek to put aside personal biases when covering news stories, there are many occasions when this is not completely possible.

The importance of being a careful news consumer cannot be overstressed. You may have heard it said, "If it was in the paper, it must be true." Or perhaps someone has told you, "I never believe anything I read in the paper." Neither of these extreme attitudes exemplifies of a careful news consumer. Instead, if you approach news reporting with an open mind, you are able to see that issues can have more than one side. If you seek as much information from as many sources as possible, you will be utilizing our constitutionally guaranteed free press to its fullest, and you will be well equipped to become the informed participant that our democratic system requires.

Thomas Jefferson must have had strong feelings about the press when he stated, "Were it left for me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."

Key Questions

1. Should the press merely report the news or interpret it? Why?

2. Give examples of how the adversary relationship between the government and the press benefits citizens. Give examples of how that relationship harms citizens.

3. Should a reporter be forced by the law to reveal confidential news sources in a criminal trial? Why or why not?

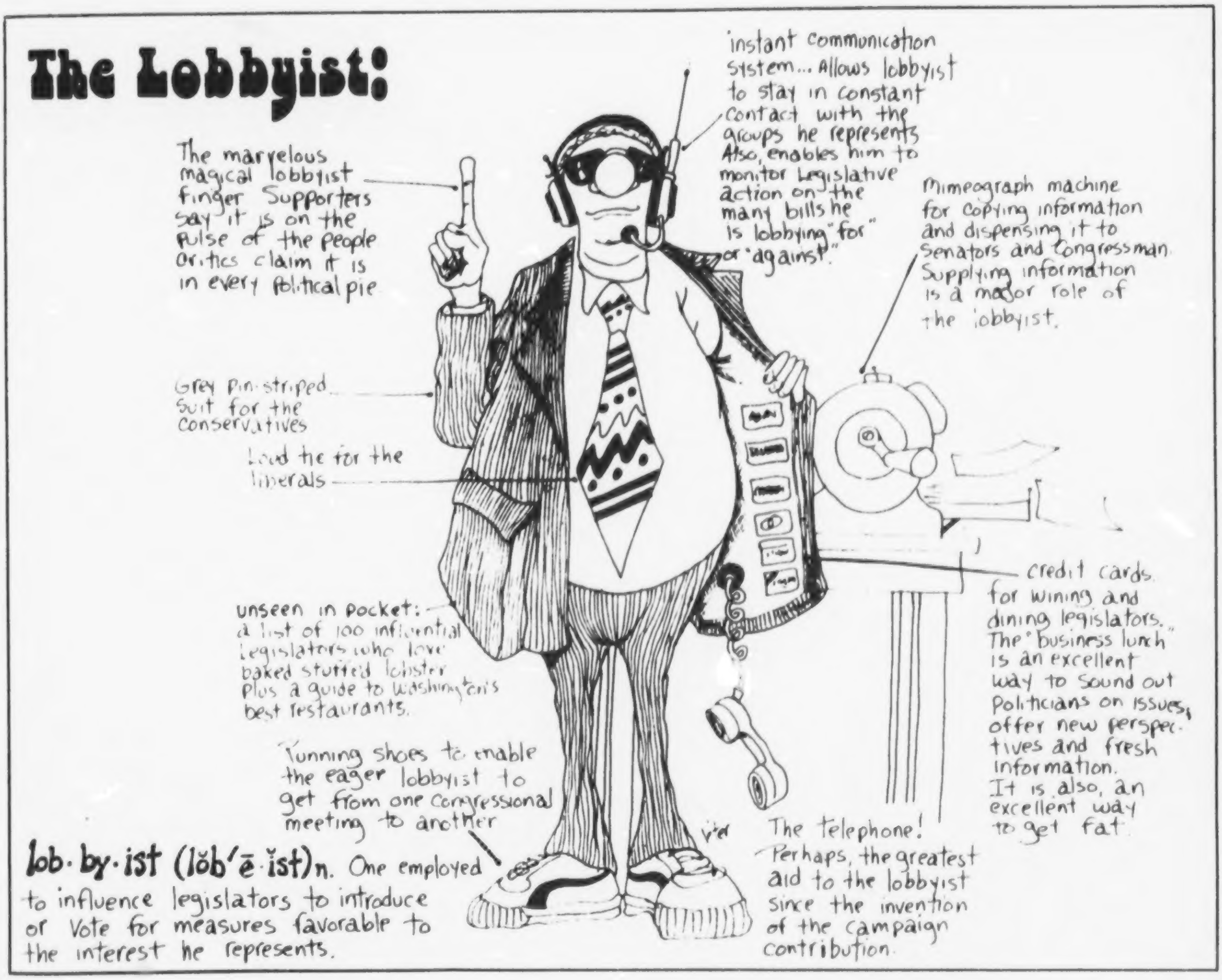
4. How powerful is the news media in this country? Do you feel it is too powerful? Not powerful enough? Give examples to back up your answer.

5. Does the public have an absolute right to know about government activities?

6. How influential are newspaper editorials?

7. Do the news media create news? Explain what makes an event newsworthy?

RHODE ISLAND BOOK, Rhode Island Department of Education, 1980.


The Lobbyist:
The marvelous magical lobbyist finger Supporters say it is on the pulse of the people Critics claim it is in every political pie
instant communication system... Allows lobbyist to stay in constant contact with the groups he represents Also, enables him to monitor Legislative action on the many bills he is lobbying "for" or "against".
Mimeograph machine for copying information and dispensing it to Senators and Congressman. Supplying information is a major role of the lobbyist.
Grey pin-striped suit for the conservatives
Loud tie for the liberals
unseen in pocket: a list of 100 influential legislators who love baked stuffed lobster plus a guide to Washington's best restaurants.
running shoes to enable the eager lobbyist to get from one congressional meeting to another
credit cards for wining and dining legislators. The "business lunch" is an excellent way to sound out politicians on issues, offer new perspectives and fresh information. It is also, an excellent way to get fat.
The telephone! Perhaps, the greatest aid to the lobbyist since the invention of the campaign contribution.
lob·by·ist (lŏb′ē ĭst) n. One employed to influence legislators to introduce or vote for measures favorable to the interest he represents.

Has this been your perception of a lobbyist? What purpose does a lobbyist serve?

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LOBBYING AND INTEREST GROUPS

Lobbyists are essential to the American form of government. They supply legislators with a wealth of information that otherwise would not be available. Without this information, the legislators would be dependent upon the executive branch for all (or much of) the information upon which to base decisions which would seriously impair the separation of powers. The term "interest group" refers to a group that attempts to influence the outcome of legislation and/or policy. State Law requires lobbyists to register with the Secretary of State. Is your seminar speaker a registered lobbyist? Why or why not?

Although the law requires the registration of those whose principal occupation is affecting legislation, many people who are not registered do lobby, including citizens. Look at the chart below to see how many different types of interest groups are involved in the political process.

Interest Groups--Whom They Lobby and How

Who Lobbies

- Individuals
  - Local Officials
  - Other Legislators
  - Citizens
- Business/Industry
  - ND Retailers Assoc.
  - ND Beer Wholesalers
  - ND Buildings & Trades

- Labor Unions
  - AFL-CIO
  - United Mine Workers
  - Ironworkers

- Health Associations
  - ND Health Care
  - Blue Shield of ND
  - ND Medical Assoc.
  - ND Chiropractic Assoc.

- Agriculture
  - ND Farmers Union
  - ND Farm Bureau

- Utilities
  - Northern States Power
  - Rural Electric Cooperatives
  - Montana Dakota Utilities

- Transportation
  - Burlington Northern Railroad Company
  - ND Aviation Association
  - ND Motor Carriers

Who Is Lobbied

- Legislators
  - Representatives
  - Senators
  - Staff Members
  - Committee Members

- The Executive Branch
- Agencies
  - Economic Development
  - Securities Commission
  - Workmen's Compensation

- Departments
  - Health
  - Human Services
  - Public Instruction
  - Highway
  - Motor Vehicle
  - Institutions
  - Tax
  - Labor

Methods of Lobbying

- Personal Contact
  - Meet with government officials or members of their staff to provide them with credible information.

- Grassroots Lobbying
  - Organize and conduct mass mailings and phone-ins.

- Education Campaigns
  - Inform citizens and government officials about an issue.

- Coalition-building
  - Bring different organizations together to support or oppose one issue or a group of related issues.

This is just the beginning. Can you identify additional categories and groups?

HOW ADMINISTRATIVE RULES ARE ADOPTED UNDER NORTH DAKOTA LAW

North Dakota administrative agencies have the authority to adopt, amend, or repeal rules, in order to prescribe methods and procedures to implement the provisions of statutes administered or enforced by the agency. By definition, an administrative agency is any board, bureau, commission, department, or other administrative unit of the executive branch of state government. When a new law is passed affecting an agency, a new rule to implement the statutory change must be adopted within nine months of the effective date of the newly adopted law.

Every rule proposed by an administrative agency must be submitted to the Attorney General for an opinion as to its legality before final adoption. The Attorney General may suggest any revision or rewording of a rule to meet objections to the legality.

Upon becoming effective, rules have the force and effect of law until they are amended or repealed by the agency, declared invalid by a final court decision or determined repealed by the office of the Legislative Council because the authority for adoption of the rules is repealed or transferred to another agency. A copy of the rule adopted by an administrative agency and the Attorney General's opinion on that rule are to be filed with the office of the Legislative Council for publication in the North Dakota Administrative Code.

The following entities are not agencies for purposes of the administrative agencies practice act:

1. Office of Management and Budget, in part
2. Adjutant General, in part
3. Council on the Arts
4. State Auditor
5. Department of Economic Development and Finance
6. Dairy Promotion Commission
7. Education Factfinding Commission
8. Educational Telecommunications Council
9. Board of Equalization
10. Board of Higher Education
11. Indian Affairs Commission

12. Industrial Commission, in part

13. Department of Corrections and Rehabilitation

14. Board of Pardons

15. Parks and Tourism Department

16. Parole Board

17. Superintendent of Public Instruction, in part

18. State Board of Public School Education, while administering the State School Construction Fund

19. State Fair Association

20. State Toxicologist

21. Board of University and School Lands, in part

22. Administrative Committee on Veterans Affairs, in part

The adoption of administrative rules is accomplished by the following five steps:

1. The first step is to determine whether the state agency or official is required to adopt administrative rules under the administrative agencies practice act. The agencies listed above are not required to follow the requirements in that Act.

2. Rules are next drafted by the agency. Each administrative agency or state official is responsible for drafting rules for that agency. Specific guidelines establishing drafting requirements are provided by the North Dakota Legislative Council.

3. Before any rule is adopted, amended, or repealed, the administrative agency must provide a procedure for public input, either orally or in writing, relative to the feasibility of the rule. An agency's notice of proposed rulemaking must include an explanation of the purpose of the rule, location where the text can be reviewed, address where written views can be sent, and, if the rule is substantive, the time and place set for an oral hearing. The notice must be with the office of the Legislative Council and published twice in each daily newspaper of general circulation published in the state. Before any rule becomes final, it must be submitted to the Attorney General to determine whether it is in compliance with state law. The Attorney General cannot approve any rule if it merely repeats or rephrases the text of a statute which is being implemented, nor may the Attorney General approve the rule if it exceeds the statutory authority of the agency, or is not concise or easily understandable.

4. After the rule has been officially approved in writing by the Attorney General, and an opportunity for public comment has occurred, the agency may formally adopt the rule. At that point, a copy of the rule along with the Attorney General's written approval is filed with the Legislative Council of North Dakota.

5. Rules become effective and have the force and effect of law on the first day of the month after the month of publication in the North Dakota Administrative Code. If the immediate publication of a rule is a necessity, the agency or official can declare a rule an interim final rule. In that case, the rule will become effective on a date no earlier than of the filing of the notice with the Legislative Council. Interim final rules, however, can only be adopted where there is imminent peril to the public health, safety or welfare or because a delay would result in a loss of revenues appropriated to support a duty imposed on the agency. Administrative agencies must take steps to make interim final rules known to those persons who may be affected by them.

Submitted by the Legislative Council

ELECTION OF LEGISLATORS

Precinct

Counties, cities and townships determine boundaries of election precincts. Individuals must vote at the polling place in their designated precinct.

The Secretary of State is Chief Election Officer for the State. Each city and county appoints an inspector who, together with members of the counties' official election board, oversees the election process.

Legislative Districts

Because both houses of the Legislature must represent an equal number of people, legislative districts have been established by the state legislature. Populations within the legislative districts must stay within a 10 percent range between the district with the highest population and the district with the least. Because of a population growth in certain sectors of the state, 3 new senatorial districts were created following the 1980 federal census. With the exception of Minot and Grand Forks each having a 2-senator district, all other legislative districts are single-senator districts. There are two representatives per district. The next legislative reapportionment will occur after completion of the 1990 federal census.

Political Party

North Dakota has a two-party political system - Republicans and Democrats. A political party consists of people that support and advocate the same philosophy and principles. Individuals who subscribe to work for a party are called partisan.

Candidates may run independent of party affiliation if they obtain 7,000 signatures on a petition to place their name on the ballot.

North Dakota has two elective offices that, by law, are placed on a no-party ballot. They are the Superintendent of Public Instruction and the Labor Commissioner.

Platform

A legislative candidate presents a platform to the constituents in the legislative district. A platform is based on a plan of action, statement of policy or a group of principles.

Constituents

Constituents are the body of citizens in the legislative district who elect the candidate to represent their interests.

Section 5

Extending the Experience

PRE- AND POST-EXPERIENCES

Thank those who were involved in Close Up and those who supported Close Up.

- State legislators
- **State Close Up Presentors and Group Leaders**
- Close Up Advisory Council
- School board, administrators, teachers
- Media personnel
- Department of Public Instruction personnel
- **Sponsors of Close Up in North Dakota**

Community Awareness - Presentations, Interviews, Activities

- School board meetings
- Organizational meetings, e.g.: Lions, P.T.O., Senior Citizens
- Media - television, newspapers (local and school), radio

Community Involvement

- Vote
- Visit an actual trial
- Observe local government in action
- Organize community activities

School Activities

- Make presentations to students and teachers
- Organize a Close Up Club
- Research additional issues
- Initiate or continue Close Up Experiences and Activities
- Develop bulletin boards
- Conduct a simulation of government
- Study materials relating to the environment provided by the Department of Public Instruction and found in newspapers and current events Coordination with Department of Public Instruction
- Submit published articles
- Submit articles for statewide distribution
- Share successful activities and strategies
- Submit photos of community activities, classroom projects, or other items of interest relating to civic involvement and participation.

EXTENDING THE CLOSE UP EXPERIENCE IN YOUR SCHOOL

Directions: 1) List as many items under each category that could be initiated by Close Up teachers and/or students in your school, 2) Review the list you have completed and place an asterisk in front of each activity you could do by yourself or with a group, 3) Review the asterisked items, place a second asterisk in front of the items of particular interest to you. Discuss these with the Close Up students/teachers from your school.

Letters

Articles

School Activities

Community Activities

Other (Specify)

DOS AND DON'TS WHEN CORRESPONDING WITH GOVERNMENT OFFICIALS

The following suggestions are offered by the North Dakota Congress of Parents and Teachers when writing to your legislator or other government official.

A DOZEN DOS AND DON'TS

DOS	DON'TS
1. DO know your legislator's full name. Spell it correctly.	1. DON'T guess at the spelling of your legislator's name or his/her initials.
2. DO inform yourself about the measure of concern to you. Know what you are talking about.	2. DON'T guess at facts or base your letters on rumors.
3. DO use plain stationery or personal stationery.	3. DON'T use mimeographed or printed postal cards; they give no evidence that you can think for yourself.
4. DO use first class mail.	4. DON'T use form letters under any circumstances.
5. DO let the legislator know how a particular measure will affect your locality--his own home district.	5. DON'T limit yourself to generalities.
6. DO be concise.	6. DON'T be wordy.
7. DO be complete enough to give pertinent reasons and facts.	7. DON'T leave out essential details.
8. DO be sincere.	8. DON'T use insincere flattery or flowery terms.
9. DO be courteous always.	9. DON'T use threats--ever!
10. DO clearly identify the bill, using the title and number, if possible.	10. DON'T get mixed up on the name, the number, or the contents of the bill.
11. DO follow through. Let your legislator know you are watching his record with deep interest.	11. DON'T write letters of criticism or request only.
12. DO write a letter of appreciation whenever your legislator does something that meets your approval.	12. DON'T forget to write a thank-you letter.

All of these suggestions apply to all levels of government--federal, state and local.

GOLDEN RULES

(For everyone who works with public officials)

Have you ever presented your case, or your cause, to a public official? If so, you will recognize these universal principles that apply across the board for everyone who works with legislators, commissioners, city councilmen and other public officials.

- Don't underestimate public officials. With very rare exceptions, they will be honest, intelligent and will want to do the right thing. Your job is to inform them what YOU think is right.

- Don't look down on government and politics. They may be faulty, but so are other professions. A disdainful attitude is an expensive luxury these days. Whatever affects your business . . . IS . . . your business . . . even if it is politics.

- Be understanding. Put yourself in the public official's place. Try to understand the official's problems, the official's outlook, the official's aims. Then you are more likely to persuade the official to do the same in understanding yours. Remember that we must have people who are willing to commit themselves to public service positions.

- Be friendly. Don't contact public officials only when you want their help. Invite them to be guests at meetings. Take pains to keep in contact with them throughout the year, every year.

- Be informed. Never meet with public officials to advocate a position without first studying the facts and the arguments pro and con. The mere fact that you want a public official to adopt one position or another won't be enough to convince the official. Do your homework.

- Be reasonable. Recognize that there are legitimate differences of opinion, with at least two sides to every issue. Never indulge in threats or recriminations. They are confessions to weakness.

- Be thoughtful. Commend the right things public officials do. That's the way you like to be treated. Any public official will tell you that he gets dozens of letters asking him to do something, but very few thanking him for what he has done.

- Don't blame public officials for "failing" to do what you wanted. Choices are not always clear cut, and the failure could be yours if you have not done a good job in preparing, presenting and following through on your case.

- Don't be a busybody. You don't like to be scolded, pestered or preached to. Neither do public officials.

- Be cooperative. If a public official makes a reasonable request of you, try to comply with it. Don't back away for fear that it's a "deal," or that you're "getting into politics."

- Be realistic. Remember that controversial legislation and regulation usually result in compromise. It has always been so and it will always be so in a democracy.

- Be open and candid. State your views, and the reasons for your position, with willingness to listen to the problems and concerns that your position may create for the public official.

- Be practical. Recognize that each legislator has commitments and that a certain amount of vote-trading goes on in a legislature. Don't chastise a legislator who normally supports you if he happens to vote against one of your bills. This doesn't necessarily mean he has deserted your whole program. Give the legislator the benefit of the doubt; the legislator will appreciate it and remember that you did. There will be other "roll calls" and the next time the legislator may vote for you. Also, remember that while some votes may be firmly committed, there will be many others that can be swayed on the basis of sound arguments, properly presented.

- Be a good opponent. Fight issues--not personalities. And be ready with alternatives or solutions as well as with criticisms. This a constructive opposition.

- Never break a promise. This a cardinal rule of politics. If you tell a public official you'll do something in exchange for a certain action, stick to the bargain. Politics, and politicians, work on a base of mutual trust and confidence.

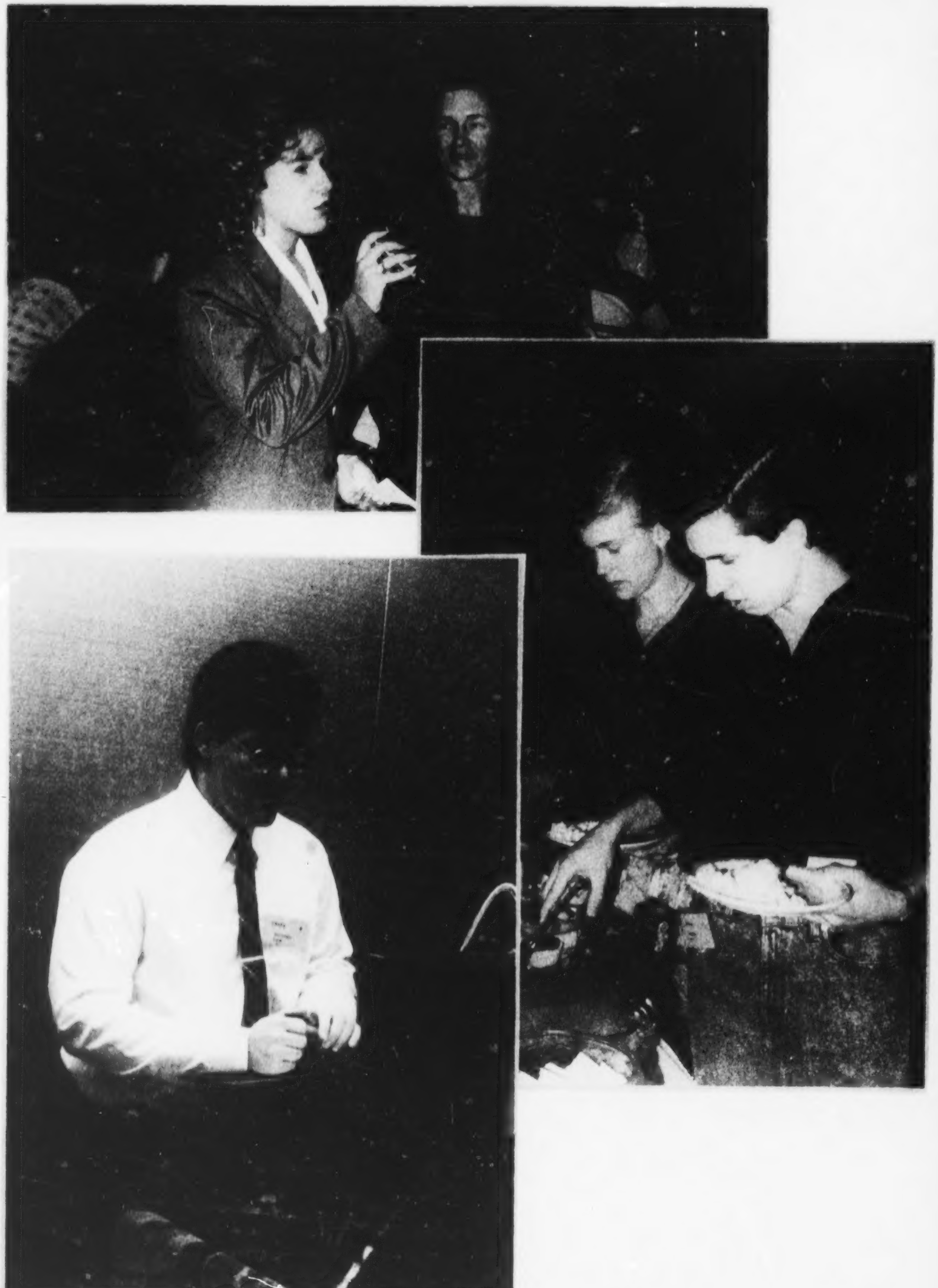
- Don't change horses in the middle of the stream. Never leave an official stranded out on a limb by changing your policy or position after the official has publicly stated a position that you have urged him to take.

- Learn to evaluate and weigh issues. Many bills which are tossed into the hopper "by request" are never intended to become law. So, don't criticize legislators for the bills which are introduced, and don't call out the army until you're sure a bill is serious.

Adapted from Material by Mary Allen Jolley, American Home Economics Association, September 1976.

Section 6

Program Activities and Selected Issues



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INTRODUCTION TO THE PROGRAM ACTIVITY PORTION OF THE 1993 CLOSE UP PROGRAM

The student activities portion of the Close Up Program will center on the functioning of the legislative standing committees and the floor action of the House and Senate.

Student participants will be divided into groups of equal size. Each group will conduct simulations and will be preassigned one of the five selected educational issues contained in this guide to be studied and debated in legislative standing committees. The culminating activity will take place on Tuesday morning when each of the standing committees will carry its assigned bill with the committee's recommendations to the floor of the respective house. Participants should be prepared to debate all five issues during floor action of the House or Senate.

Please review the Program Activity section of this guide carefully and think about which of the roles in the simulation game you would like to play. EVERYONE WILL PARTICIPATE IN THE SIMULATIONS. The more familiar you are with the contents of the guide, the better prepared you will be to actively participate in February.

The following are the roles students will be asked to play during the simulations:

Standing Committee Chair
Standing Committee Vice Chair
Clerk of the House or Secretary of the Senate
Legislators
Lobbyists

Each student will receive informational materials and a role card to help develop their role in the simulation. Roles will represent Republicans and Democrats, opponents and proponents of specific issues, assignments to the House or Senate, legislators and lobbyists.

CLIPPING FROM THE BEULAH BEACON, FEBRUARY, 1992

Close Up students meet candidates

North Dakota Republican and Democratic candidates for governor were on the hot seat as some 300 North Dakota high school students and teachers grilled them during the eighth annual North Dakota Close Up Program held Feb. 9-11, Bismarck.

Close Up is a government studies program sponsored by the state department of public instruction. Students studied the executive branch of state government and learned how to become involved and make a difference in the democratic process.

Students also examined two critical issues: health care and education. Past programs have focused on the judicial and legislative branches of government. The 1990 judicial program involved 22 attorneys and six judges and courtrooms in Bismarck for a hands-on mock trial.

Lt. Gov. Lloyd Omdahl discussed the inner workings of state government. Teachers attended workshops featuring the use of technology in the classroom and organizing hands-on, local government experiences. Mark Wise, also with the Close Up Foundation, worked with students on citizenship issues and responsibilities.

Group leaders were Kevin Cramer, state Republican Party executive director; Leif Peterson, human resources director for the Amoco Oil Refinery in Mandan; Richard Tessier, assistant North Dakota attorney general; Scott Engmann, teachers' retirement fund director; Carol Siegert, administrative assistant to Gov. Sinner; Tom Decker, finance and reorganization director for DPI; Willie Heinrich, DPI's school district restructuring consultant; Neil Howe, principal of the Division of Independent Study in Fargo; Bob Brooks, business manager for the North Dakota School for the Blind; and Nancy Walz, DPI computer network manager.

Moderators were Sen. Bonnie Miller Heinrich and Darrell Dorgan. Presenters were Earl Pomeroy, ND Insurance Commissioner; Larry Gauper representing North Dakota Blue Cross and Blue Shield; John Stitzell, manager of the Amoco Oil Refinery; and Craig Hagen, North Dakota labor commissioner.

State Senator David O'Connell, Close Up Advisory Board, participates in student program.

ISSUES

The North Dakota Close Up Advisory Board chose education as the 1993 topic of study. The following list includes the five critical education issues that will be debated during the 1993 program:

1. Governance
2. Educational Funding
3. Educational Outcomes - Student Centered Curriculum
4. The Reform Agenda - Adopting and Achieving Personal Goals
5. Educational Equity

Commentary reflecting differing viewpoints on each of the five critical issues are included in this section of the Guide.

Simulations, workshops and debates will focus on these five issues. Teachers are encouraged to cover all issues presented in this guide, and it is requested that students be knowledgeable and well-prepared to interact and discuss these in depth.

Additionally, there are a multitude of issues students may wish to explore with local, state or national implications. A suggested classroom activity would be for students to select an issue of their choice, research it, examine the pros and cons of the debate, and identify the key questions to be resolved.

In choosing and preparing an issue, the following questions should be considered:

1. Is it interesting? Will the students be enthusiastic about the project?
2. Is it appropriate to the community? To parents?
3. Will it provide realistic expectations? (It should not attempt to identify simplistic solutions to complex problems.)
4. Are there adequate resources available?

It is imperative that a complete view of each issue be provided and opposing views stated and examined. Legislators recognize and value the importance of differing viewpoints.

In order to prepare for the North Dakota Close Up experience, it is recommended that teachers encourage exploratory work on the part of the students. Newspapers, magazines, radio, television and the public library are excellent sources of information. Bringing speakers into the classroom or scheduling visits with individuals, groups or organizations that have expressed an advocacy or opposing viewpoint is extremely beneficial.

GOVERNANCE

Background

NORTH DAKOTA CONSTITUTION, ARTICLE VIII, SECTION 1. A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people being necessary in order to insure the continuance of that government and the prosperity and happiness of the people, the legislative assembly shall make provision for the establishment and maintenance of a system of public schools which shall be open to all children of the state of North Dakota and free from sectarian control. This legislative requirement shall be irrevocable without the consent of the United States and the people of North Dakota. The legislative assembly shall take such other steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements.

The North Dakota Legislature has delegated general supervision of the public schools to the Superintendent of Public Instruction, (NDCC 15-21), and the conduct of education at the school district level to local school boards, (NDCC 15-29).

Restructuring

In 1989 the North Dakota Legislature adopted NDCC 15-27.6, the School District Boundary Restructuring Program. This statute allows the Superintendent of Public Instruction to provide assistance, both technical and financial, to school districts for the purpose of implementing the restructuring of school district boundaries to increase educational opportunities for students and to facilitate the sharing of school administrators and administrative services.

The primary reason for adopting this program in 1989 was to provide a method through which rural districts could overcome the effects of sharply declining enrollments. High schools with enrollments of 50 or fewer students in grades 9-12 had enrollment declines of 40 percent in the preceding ten years. Many of these schools were no longer able to provide the range of programs and services required by the state or desired by patrons. The restructuring program is designed to provide monitary incentives to groups of districts who would cooperate to provide these programs and services and agree to consider consolidation into a single unit at the end of three years.

These groups of districts, known as consortiums, have developed a wide variety of cooperative educational efforts. They include counseling for all grade levels, art, foreign language, gifted and talented programs, distance learning technology and more.

Each plan developed must be adopted by a majority of the membership of each participating school board and the state board of public school education. After three years of cooperative activities within these consortiums, patrons must vote on consolidation of the districts into a one or more larger administrative units.

Pro

1. Broaden curricular offerings and student services.
2. Achieve efficiency in use of limited fiscal and human resources.
3. Provide opportunity for people to plan for future educational needs in a structured manner.

Con

1. Some school buildings may have to close.
2. Loss of community identity related to losing their school.
3. Longer bus rides to schools in larger districts.

Key Questions

1. Are there issues other than boundaries which a consortium could deal with in the restructuring program? What are these issues? Examples?
2. What are some concerns you would have if your school district was going through a restructuring process? Discuss each.
3. From the point of view of the student, what would be the most important component of your school?
4. Should the state mandate consolidation of school districts?

PARTICIPATORY DECISION MAKING

The legislature has the power to change the manner in which school districts are governed. In 1991, the legislature adopted SB 2590, which mandates that a system of participatory decision making be adopted by the boards of each school district in the state by July 1, 1994. Participatory school decision making is a joint planning and problem solving process that seeks to improve the quality of education. This plan is to include a description of how teachers, parents, school administrators, and other school employees are to be involved in the decision-making process. The school district participatory decision making plan and policy must be developed through a process that insures public input from all interested parties in the district. Decisions in this concept are made at the level closest to the issue being discussed. These decisions flow up through the system rather than down from the top. Thus, participatory school decision making becomes an attempt to decentralize the decision-making process in delivering a school district's educational program. This program directly involves employees in making decisions that affect the working lives of all staff. As John Naisbitt commented in Megatrends, "People whose lives are affected by a decision must be a part of the process of arriving at that decision."

Pro

1. School patrons and taxpayers become directly involved in school decision making and feel ownership in the schools.
2. School programs will reflect community concerns and needs closely.
3. Participatory decision making should ensure a more thorough union of curriculum and school policy.

Con

1. The school board and administrators give up some local control over the school decision- making process.
2. More time is involved in making decisions.

Key Questions

1. Who is currently involved in making decisions about school issues in your district? School board members? Administrators? Teachers? Parents? Students?
2. Does a plan exist in your school district that describes how decisions about your school will be made and who will be involved in making decisions?
3. What kinds of decisions about your school should students be involved in? Curriculum? Personnel? School policy?

OPEN ENROLLMENT

The legislature also has the power to adopt laws which govern public school attendance issues. In North Dakota, as in most states, students historically were expected to attend a public school in their district of residence. A growing number of school districts and states have been adopting public school open enrollment policies, which allow parents to send their students to the public school of their choice within the state. Several North Dakota school districts have adopted open enrollment, within their districts and a number of states, including Minnesota, have adopted statewide, open enrollment. Under a public school open enrollment policy, parents would be required to identify the public school to which they would like to send their students by a given date, usually during the preceding school year. Provisions in law and policy would ensure that funding would flow from their district of residence to the district of attendance.

Pro

1. Parents and their students can choose to attend the public school which they believe will provide the best education.

2. Public schools would be forced to operate in a more client-oriented manner than at present.

Con

1. Students with the greatest means would be able to take advantage of open enrollment to attend the best available schools.
2. School districts would have less control over their enrollment and subsequently, less control over budgets and planning.
3. Enrollment decisions may, in some instances, be based on extracurricular activities, rather than educational opportunity.

Key Questions

1. Should parents and their students have the right to decide which public school they want to attend?
2. What, if any, limitations should be placed on the right of parents to decide which public school their students will attend?
3. If open enrollment was available to North Dakota students, should students who choose to attend school outside their district of residence be eligible to participate in sports immediately--or should they be ineligible for the first semester of attendance?

EDUCATIONAL FUNDING

Background Information

Education laws passed by legislative assemblies since statehood have been under almost constant revision. In some instances when the public thought that the legislature was not doing its job, initiated measures have been approved by the voters of the state. One such instance was in 1980 when the voters approved initiated measure number six which provided that the State of North Dakota should fund elementary and secondary education at seventy percent of the cost per pupil as determined in law. The provisions of this law have never been met since its passage in 1980.

During the 1970's and 80's, education funding in many states was litigated through the court system. In a number of cases, the existing school funding programs were found to be in violation of state constitutions. The general principle that came out of the school finance litigation of the 1970's and 80's was that the quality of education should not depend upon the wealth of the community in which the student resides, but rather on the wealth of the state as a whole. Thus, the concept of education finance equity was born and states have been attempting to implement equitable education finance programs in response to the litigation.

The equity of a state school finance system is typically considered in terms of per pupil spending, the property tax rates of school districts, and the relationships between spending/revenues and the wealth of school districts. It is generally recognized that equity does not require perfect equality across all districts in such things as per pupil revenues or tax rates, because just as the needs of school districts differ, the amount of per pupil funding they require varies. While there are a variety of factors that might legitimately justify differences in the per pupil revenues of school districts, such as their size or the grade levels they serve, it is considered inappropriate when the variation in per pupil revenue is related to the property wealth of school districts since property wealth is not a determinant of need.

Under the North Dakota foundation program, the legislature sets a support level per weighted pupil unit (See attachment) and pays the difference between that support level ($1,552 in 1991-92) and the per pupil revenue each district obtains through a common property tax of 22 mills. The state also distributes a payment from the Common Schools Trust Fund, called tuition apportionment, which amounted to $199 per pupil in 1991-92. Districts also receive state support for transportation, special education and vocational education programs. School districts receive funds from several additional property taxes, including those imposed to raise funds to pay for building projects. In addition, districts receive federal funds and some districts receive revenue from the county on taxes levied on oil, gas or coal production in the county.

Just as student characteristics and needs vary, the characteristics of school districts also vary. During the 1990-91 school year, the taxable valuations in high school districts ranged from $67 per pupil to $31,787 per pupil. Because of the widely varying taxable valuations per pupil, a one unit tax rate raises different amounts per pupil across school districts. For example, 10 mills in the low taxable valuation district raises 67 cents per pupil, while

10 mills in the high taxable valuation district raises $317.87 per pupil. Tax rates during that same year varied from $252.18 per thousand dollars of taxable valuation to no levy at all. Just as taxable valuation per pupil and mill levies vary; revenue sources available, school sizes, cost of resources and teacher salaries are not the same across all districts. During 1990-91, the average expenditure per pupil ranged from a high of $8,855 to a low of $2,306 in K-12 school districts. That same year the statewide average expenditure per pupil was $3,327.

During the second year of each of the last five bienniums, the statutory per pupil payments for school districts have been reduced because of budget shortfalls. The reductions have resulted in program cuts and/or increased property taxes in most school districts.

In 1989, a group of school districts and parents initiated a lawsuit to have the state's system of public school financing declared unconstitutional. The complaint charged that disparities in revenue among the school districts have caused corresponding disparities in educational uniformity and opportunity that are directly and unconstitutionally based upon property wealth. The matter has been heard in district court. Although no decision had been rendered at the time of this writing, it is anticipated that the matter will be appealed to the North Dakota Supreme Court.

Key Questions

1. Should the state assume full responsibility for funding the elementary and secondary education of every child in the state?

2. Should the state allow large differences in the number of dollars available per pupil for funding education?

3. How can the state ensure that education funds are equitably distributed or that the same number of dollars are available for each pupil?

4. Should the state implement and maintain a system that would ensure stable funding for elementary and secondary education?

5. Should some form of dedicated statewide tax, such as income, sales or property tax, be levied to fund elementary and secondary education in North Dakota?

HISTORY OF TRANSPORTATION PAYMENTS AND AVERAGE COST PER MILE

SCHOOL YEAR	SMALL BUSES PER MILE	LARGE BUSES PER MILE	PUPIL PER DAY PAYMENT	FAMILY	IN-CITY	AVERAGE COST PER MILE	AVERAGE COST PER PUPIL TRANSPORTED
1973-74	0.1	0.23	0	0	0	0.371	$141.84
1974-75	0.1	0.23	0	0	0	0.424	$166.47
1975-76	0.12	0.26	0	0	0	0.491	$195.82
1976-77	0.12	0.26	0	0	0	0.524	$226.28
1977-78	0.17	0.34	0.15	0	0	0.541	$256.30
1978-79	0.17	0.34	0.15	0	0	0.577	$273.24
1979-80	0.2	0.4	0.15	0	0	0.693	$313.38
1980-81	0.2	0.4	0.15	0	0	0.781	$361.00
1981-82	0.34	0.68	0.19	0	0	0.908	$411.49
1982-83	0.38	0.76	0.19	0.1	0.095	0.892	$463.76
1983-84	0.36	0.73	0.19	0.1	0.095	0.939	$473.18
1984-85	0.38	0.76	0.19	0.1	0.095	0.944	$496.76
1985-86	0.38	0.76	0.19	0.1	0.095	0.954	$515.22
1986-87	0.36	0.72	0.19	0.1	0.095	0.914	$472.98
1987-88	0.355	0.72	0.19	0.1	0.095	0.923	$497.21
1988-89	0.34	0.7	0.19	0.1	0.095	0.928	$474.72
1989-90	0.25	0.614	0.25	0.2	0.125	0.888	$494.12
1990-91	0.25	0.65	0.25	0.2	0.125	0.981	$529.89
1991-92	0.25	0.67	0.28	0.2	0.175		
1992-93	0.25	0.67	0.28	0.2	0.175		

HISTORY OF PER PUPIL EXPENDITURES AND STATE PUPIL PAYMENTS

SCHOOL YEAR	ACTUAL PER PUPIL EXPENDITURE	STATUATORY PUPIL PAYMENT	ACTUAL STATE PUPIL PAYMENT	TUITION APPORTIONMENT	PERCENT OF EXPENDITURE FROM STATE SOURCES
1973-74	$831	$540	$540	$31	69%
1974-75	$938	$540	$540	$42	62%
1975-76	$1,097	$640	$640	$38	62%
1976-77	$1,212	$690	$690	$47	61%
1977-78	$1,376	$775	$775	$47	60%
1978-79	$1,544	$850	$850	$53	58%
1979-80	$1,741	$903	$903	$80	56%
1980-81	$1,957	$970	$970	$106	55%
1981-82	$2,392	$1,425	$1,425	$98	64%
1982-83	$2,477	$1,591	$1,353	$158	61%
1983-84	$2,577	$1,400	$1,400	$176	61%
1984-85	$2,851	$1,350	$1,350	$202	54%
1985-86	$2,960	$1,425	$1,425	$209	55%
1986-87	$2,949	$1,455	$1,367	$216	54%
1987-88	$3,041	$1,400	$1,400	$215	53%
1988-89	$3,213	$1,412	$1,385	$206	50%
1989-90	$3,427	$1,525	$1,411	$199	47%
1990-91	$3,327	$1,545	$1,480	$198	50%
1991-92		$1,552	$1,552	$199	
1992-93		$1,608	$1,541		

A-4 Minot (N.D.) Daily News, Tuesday, December 1, 1992

OPINION

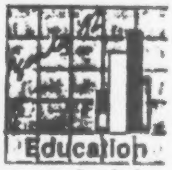
Minot Daily News

301 Fourth Street SE
Minot, North Dakota 58701

Margaret Wade, Publisher
Keith R. Darney, Editorial Page Editor

EDITORIAL

If education is to thrive, it will cost North Dakotans



North Dakotans are at the point where they will have to decide exactly how and to what extent they want their education system funded.

It is past cutting fat out of the administrative budget.

It is past "nickel and diming" Department of Public Instruction budget items.

The decision to be made is how much is North Dakota willing to spend on maintaining a high-quality education system?

Yes, schools can probably forego a lot of computers.

Yes, schools can make due with old textbooks and equipment.

Yes, school repair and maintenance can be cut back.

The level of quality education North Dakotans have come to expect from the system will ultimately suffer.

North Dakota might drop a few points in educational rankings compared to other states.

Dedicated teachers may leave the state for other educational opportunities.

If North Dakotans want an education system that simply maintains, they need do nothing — simply refuse to allow additional funding for DPI.

If North Dakotans want an education system that is vibrant, thriving, and a leader in the nation, they must be ready to pay the price such a system requires.

There is no "extra money" in the Department of Public Instruction budget — any that would make any difference.

The needs of North Dakota education are in terms of millions of dollars.

If DPI were to cut funding of special offerings such as the Teacher Center Network, the statewide library system, the National Geographic curriculum, chemical abuse, and the Education Network System, the total savings would be less than $680,000.

Total administrative costs equal 1 percent of the total budgeted by the state.

If there is any fat in the DPI budget, it is certainly well-hidden.

The simple fact is, there isn't.

For education to grow, North Dakotans must be willing to pay for it. The decision-making can no longer be delayed by simply making cuts "somewhere."

What do North Dakotans want in their education system?

What are North Dakotans willing to pay?

Monday, November 30, 1992

OPINION

Minot Daily News

301 Fourth Street SE
Minot, North Dakota 58701

Margaret Wade, Publisher
Keith R. Darney, Editorial Page Editor

EDITORIAL

Education deficit highlights need for annual budgets

The financial crisis facing North Dakota education is another indicator of the need for annual state budgeting.

It's becoming clearer with each revenue crunch experienced by one state agency or another that two-year forecasting is no longer an accurate or desirable way of running state government.

Few North Dakotans operate their personal finances on a two-year schedule. In many respects, it would be foolish to do so. There are too many uncontrollable factors, too much of the unexpected, too much of the unknown to expect one's budget estimates made in 1992 to be on the mark when 1994 rolls around.

The world no longer goes or grows at a leisurely pace. Public actions and financial consequences occur with a frequency measure in days, weeks, months.

N.D. Schools Superintendent Wayne Sanstead is in a no-win budgeting situation. If his department spends less than forecast two years earlier, he is accused of failing to dedicate enough resources to education, perhaps even of penny-pinching to save money at the expense of educating North Dakota's youth.

If his department spends more than forecast two years previously, he is accused of mismanagement, wasting money, or building a bloated administrative structure at the expense of educating North Dakota's youth.

Projecting future school enrollment these days is a tricky business.

The "experts" had forecast a continuation of declining numbers. The Department of Public Instruction and the Legislature budgeted accordingly for the biennium.

The experts were wrong.

Enrollment went up at the same time the governor ordered across-the-board cuts due to a budget shortfall in overall state finances.

The parade of state agencies coming up short financially and the on-going need for budget cuts or corrections is not a sign of failure on the part of government officials; it is evidence of a government budgeting process that no longer functions effectively.

If North Dakotans are to get better use of and quicker response to the way their tax dollars are used, they should insist on annual Legislative sessions.

Blaming Wayne Sanstead or any other state agency head for the way the finances turn out two years after a budget forecast is made is not the answer.

BEST COPY AVAILABLE

EDUCATIONAL OUTCOMES
STUDENT-CENTERED CURRICULUM

INTRODUCTION

The debate about the restructuring of North Dakota schools, which began in 1983 with the publication of the **Nation at Risk,** continues today. The essential questions are these: What is the purpose of public education? What should students know? What skills and abilities should they have after they complete a K-12 educational experience?

Some people continue to advocate that schools should remain essentially the same. School reformers, on the other hand, believe that the focus on education should shift from the educational process to the educational product to better prepare young people for lifelong learning, college or training after high school, and for responsible citizenship.

ISSUE ONE: SCHOOLS OF TODAY AND TOMORROW
(A Reformers View)

Schools of Today

1. The traditional view of education holds that schools should continue to develop basic skills alone. That is, schools should focus on the three R's.

2. Students are receivers and reproducers of information. In this model of education, the teachers "tell" the students and the students "remember" and "recall" facts.

3. Testing has usually meant that students are directed to find the "one right answer" and to be tested through multiple choice, true and false, or fill in the blank tests.

4. The curriculum is usually highly detailed with many pieces of information.

5. Teachers are viewed as instructors and students are passive participants in the educational process. Learning is individual in nature.

6. The traditional approach views the outcome of the educational experience as a student who has put in a predetermined amount of time and receives a letter grade (A, B, C, D, F).

Schools of Tomorrow

1. The advocates of educational reform want to focus education not only on basic skills but the ability to apply that knowledge in a variety of situations. Students need to structure information and make "meaning" of their education through hands-on performance.

2. In the new vision of education, students will be expected to become responsible for their own learning. Teachers will become coaches, mentors, and facilitators who help students acquire and apply knowledge.

3. Testing will be directly related to the teaching, and students will be directed to examine multiple perspectives and consider more then one answer.

4. Reformers believe that the curriculum should focus on skills learned in the context of real life problems in a real world setting. Students should perform authentic tasks which indicate that they know how to solve problems.

5. Students cooperate with other students in their learning. Interdisciplinary subjects will become the standard of education.

6. The desired outcome of education is the ability of students to produce quality work regardless of the time it takes. Letter grades are irrelevant, and performance assessment is the real measure of what a student is ready to do after high school.

Questions on the Schools of Today and Schools of Tomorrow

1. What "core of common learning" should be expected of all North Dakota high school graduates?

2. What do you think best indicates what a student knows and can do? Is it the filling out of true and false questions or "bubble" answer sheets? Or, is it the ability to make and do things in a variety of ways? What might be some of the new ways of assessing performance?

3. The new model of education focuses on the students' abilities to use complex reasoning. That is, the students will need to demonstrate the ability to think critically, to solve problems, and to make decisions about a wide range of real life subjects. Do you think this emphasis on thinking is important?

4. Which students--today or tomorrow--do you think would have the advantage after graduating from high school? Why?

ISSUE TWO: GRADUATION OUTCOMES

Throughout the Nation school districts are adopting **graduation outcomes**. Graduation outcomes differ from **graduation requirements**. Currently, North Dakota students are required to complete a minimum number of units in English, social studies, math, science, music, and physical education. The completion of these requirements, however, does not assure the student, the parents, or the community that these requirements have prepared the student for the world of work or citizenship.

On the other hand, new graduation outcomes, as they are being defined nationally, mean that students can show competency in the following ways: students will be able to relate, for example, history and science to their lives as citizens; then will be able to employ a wide variety of thinking skills to solve problems for themselves and their communities. In addition, students--when in elementary and secondary schools--will learn how to work cooperatively and collaboratively with other students, because most people who work must work with other people. Being able to communicate in a variety of ways--writing, video taping, speaking, and working with machines--is a skill required in today's complex world. Another outcome that should be the result of the K-12 education experience is that a student should be able to gather information in a variety of ways--such as the use of libraries, data bases, financial records, international networks, personal interviews, or reading a variety of resources.

Key Questions

1. Are these new graduation outcomes reasonable expectations for **all** students? Why or why not?

2. What other outcomes can you think of that would help you to be prepared for citizenship and the world of work?

3. List other education outcomes that your school district may have established.

4. What aspects of your curriculum serve to develop your critical thinking skills? Why do you think that the "use of complex reasoning processes" is considered important?

ISSUE THREE: NATIONAL EDUCATION STANDARDS

Many education reform advocates are promoting the notion of a national test based on national standards. The underlying assumption behind the idea of national testing of students is that the national test will have a positive influence on student learning and the quality of teaching, that it will promote "educational equity," and that it will "equal" the wide variations among schools in a state or among schools throughout the country.

Typical Arguments For and Against National Education Standards

Arguments Used to Support National Standards

- The international standing of the United States and the competitiveness of the United States economy, system of security, and diplomatic influence are **national, not state or local.** Therefore, they require national attention to the development of the nation's human capital.

- National education standards will help assure that our increasingly diverse and mobile population will have the **shared knowledge and values necessary to make our democracy work.**

- National standards applicable for all children will help provide the **impetus for realizing equity** of educational opportunity across the Nation.

Common Arguments Against National Standards

- Our Nation's experience with centrally established standards (e.g., at the state level in education and at the state and national levels in other sectors) is that they are generally **"minimum standards" which act to drag down the entire system.** If such happened with national educational standards, the entire system would suffer.

- National standards will lead to a national curriculum, which will **inhibit local and state creativity and initiative.**

- The **great diversity** of the Nation, culturally and ethnically, and in regional traditions, make it **impossible to have a single common set of education standards** that would have widespread acceptance.

Key Questions

1. Many countries--including Germany, France, Sweden, and Japan--have national standards and their students rank above United States students in international achievement tests. Do you think there is any correlation between the achievement scores of the students from countries with national standards and the students from the United States which does not have national standards? If not, what other variations/conditions might explain the differences? Do you think North Dakota students should be compared to other students on an international scale?

2. Do you accept the concept that "high expectations result in high achievement?" Do you believe your school's standards are high enough? Or, is school too easy?

3. If you believe and accept that North Dakota high school graduates will eventually be competing with foreign students for jobs, do you believe that the local school districts or the Department of Public Instruction are preparing North Dakota students for this competition? (The question is premised on the fact that **most** corporations are international, serving global markets. It also assumes that the North Dakota economy will continue to depend on an expanding export market, and this will call for people who are proficient in foreign languages and have a multicultural perspective.)

Resources

Approaching the 21st Century: A Plan for North Dakota Schools, DPI, November 1992.

North Dakota Curriculum Frameworks: Language Arts, Library Media, Mathematics, Science, Social Studies, Department of Public Instruction, 1992.

Raising Standards For American Education, The National Council on Education Standards and Testing, Washington, DC, January 24, 1992.

Using Curriculum Frameworks for Systemic Reform, Association for Supervision and Curriculum Development, Brian Curry and Tierney Temple, 1992.

REFORM AGENDA
ADOPTING AND ACHIEVING PERSONAL GOALS

Introduction

From a study of successful adults, Dr. Stephen Glenn reported that researchers found four progressive stages in their development that appeared to be related to their success. The four progressive stages are:

1. Get an education
2. Get a job
3. Get married
4. Have children

Any reversal of these stages or missing the sequence in the stages would tend to create a barrier on the road to success. The barriers can be overcome, but the economic reality for many people is that failing to follow the stages can result in achieving something less than one's potential.

Education is extremely important both to the development of the individual and to the improvement of the society in which individuals live. There is an increasing realization that societies, as represented by nations, are both interdependent and at the same time, competitive in business, industry and commerce. Indeed, the capacity of a nation to be economically competitive on a global scale is related to the quality of educational opportunities afforded its citizens, especially its young citizens.

In the United States, the case can be made for young people between the ages of 14-21, that all of them will be needed as competent, productive economic partners in our society. Anything less will be to the detriment of all citizens and, thereby, to the national well-being. There are proportionately fewer young people today while proportionately greater numbers of older workers and retired citizens will be dependent upon the success of the younger work force.

Yet, despite the interdependence of the individual and society for the attainment of educational goals, there are a number of critical issues which impact on the natural progression of educational achievement for young people.

Critical Issues

1. **Extracurricular Activities**

   While it is desirable for young people to be very much involved in their own development of both curricular and extracurricular skills, some people feel that the balance between the two areas is weighted too much by the extracurricular activities to the extent that basic educational achievement doesn't reach the levels that it should for large numbers of students. For these students, then, subsequent achievement in post high school training or college becomes more difficult, resulting in a large number of dropouts from such training. These dropouts, in turn, represent an economic loss to society as well as a forfeiture of future opportunities for the individual.

Pros

a. Extracurriculars provide opportunities for students to attain a well-rounded development based upon more than academics.

b. Extracurriculars allow young students to learn by trial and error many things that relate to future educational/vocational choices.

c. Extracurricular participation is essential to the development of self-concept at a critical time in a student's life.

d. Extracurriculars are one element that the public can see, observe and participate in, thus generating support for education that goes beyond extracurriculars.

Cons

a. The time spent in extracurricular activities detracts from time that should be spent on enhanced academic involvement.

b. Participation in extracurricular activities does not transfer skills learned to the academic environment.

c. Academic proficiency is a better way to develop self-concept than is participation in extracurricular activities.

d. Promotes competition rather than cooperation.

2. Transitions

In the current system of K-12 education and beyond, students have several times at which they must make transitions for which they are inadequately prepared. One such time may be the transition from an elementary school to a middle school or junior high school. Another transition is from the junior high school to the regular high school. Furthermore, the transition from high school to post high school education or training may be a difficult transition for some high school graduates if they are not academically prepared.

The primary concern regarding educational transition is that preparation at the preceding level of education is not adequate to facilitate success at the next higher level of education. This concern is one reason why the middle school concept has made great strides in recent years. This concern has also contributed to the movement throughout the country for universities and colleges to implement admission requirements. Years of study and numerous research has indicated that a designated core curriculum in English, math, social studies, and science prepares students to be successful at the postsecondary level.

The critical issue centers around the idea that schools can adapt learning to the student better than the student can adapt to the current process of curriculum.

Pros

a. A student centered approach is better because it meets the students where they are at and this better meets their needs.

b. In switching schools over to the middle level concept, the required staff development creates teachers who better understand their students.

c. Students would be better prepared for college if they were more aware of the correlation between college success and high school courses.

Cons

a. Re-organization merely disrupts the logical lock-step method of education.

b. Changing the grade levels at which transitions occur merely does just that--students will still need to make the same kind of transitions.

3. Students At Work

A high percentage of students work at jobs which may detract from academic performance if the job takes away too much time for studies. Seventeen percent of North Dakota high school seniors surveyed in 1990, who worked 10 hours or less per week, received A's. Of those who worked 21-40 hours per week, 7.6 percent received A's. The trend of more work being equated with lower grades appears to be consistent for those who work beyond 20 hours, although only 22 percent of them report grades of C or lower, compared to 14 percent for those who work 10 hours or less.

Pros

a. In a capitalist society, it is important that students learn the value of work.

b. Learning good work habits has a definite carryover value to future employment.

c. Students who work also learn to value money, to save and to budget both their time and money.

d. Work allows students to practice concepts and theories as well as skills taught in the classroom.

e. Employers value experience when hiring after high school.

101

Cons

a. When students work long hours they are too tired to make academics as meaningful as they should be.

b. When high school students work extensive hours, they are forced to place short-term labor intensive activities at a higher priority than long-term intellectual gratification.

c. Much high school employment provides no connection to learning in school.

4. **At Risk Behavior**

Today's students are more "at-risk" than the students of any generation in our history. National trends and national problems set the pace for what becomes the trends and problems for North Dakota's students. In general, at-risk behaviors relates to rates for:

Teenage tobacco, alcohol or other drug use
Teenage pregnancy
Teenage depression and suicide
Teenage dropouts (high school or post high school)
Teenage sexual attitudes/sexual activity

With the threat posed by AIDS, all people have a legitimate concern that young people don't limit their future and perhaps their life. In combination with other at-risk issues, no one wants to see students make choices that are detrimental to their health.

Rather than take pro and con arguments on these issues, let the questions be phrased as to what can be done to better protect the health of young people such as:

1. What should be done that is not now done to prevent abuse of tobacco, alcohol or other drug use?

2. What can be done to create a climate wherein teenage pregnancy is more carefully looked at in terms of consequences (short-term and long-term)?

3. How widespread is teenage depression? What factors are associated with it and what can be done to prevent suicide?

4. Is enough being done to accommodate all types of learners in order to improve school achievement? (so that no one will feel like "dropping out" of school).

5. Are teenage attitudes toward sex healthy in that they are based (1) upon mutual respect, not exploitation; and (2) the right to say "no" and not be hassled?

EDUCATIONAL EQUITY

Introduction

Educational equity refers to the fair and impartial treatment of students regardless of their cultural and linguistic background, race, gender or abilities. This includes students' access to classes as well as elimination of bias and stereotypes in textbooks, educational videos and other instructional tools. The foundation of educational equity began with the 1954 Supreme Court decision of Brown v. The Board of Education. This significant piece of legislation surfaced because schools were segregating children by race, sex, and national origin within classrooms. Some children received unequal access to courses, teachers, and instruction. Students were being denied equal educational opportunities and equitable treatment because of their sex, race, or national origin. The passage of Title VI of the 1964 Civil Rights Act attempted to deal with issues of unequal access to classrooms, teaching bias, and ability groupings.

ISSUE ONE: STUDENTS WITH DISABILITIES

Historically, the education of children with disabilities moved from total neglect (being kept in the home with no services) to the establishment of schools that provide total services in a residential setting. Next came placements in day schools and segregated classrooms within public schools and more recently, resource rooms and the gradual movement toward more inclusive or integrated classrooms. Changes have occurred slowly, sometimes through interpretations of the courts. The Individuals with Disabilities Education Act (IDEA), passed in 1975 and amended in 1987 and 1990, is based on the premise that students with disabilities need an individualized education that meets the students' unique needs and allows for placement in the least restrictive educational environment (LRE). Section 504 of the Rehabilitation Act of 1973 gave equal access of educational programs for students with disabilities, above and beyond those disabilities recognized by IDEA. The passage of the Americans with Disabilities Act (ADA) in 1990 reaffirmed the provisions in the 1973 Rehabilitation Act.

Arguments for Including and Accommodating for the Needs of Students With Disabilities

The benefits for including students with disabilities are many. Students can more adequately be prepared for adult living in an integrated community by going to school with the students who will be their adult peers. Likewise, peers will be more supportive adults if they have the opportunity to develop skills in dealing with others who are different from themselves. It also supports the idea that people are more alike than different, and that the differences in people enhances society. Educating students with disabilities with non-disabled peers allows for friendships to develop. Friendships are the single most important aspect of life. Friendships teach inter-personal skills, relationship skills and self-esteem. Peers are also a great source of instruction and modeling. Often students with disabilities need to see behaviors modeled. Peers and friends are important in teaching appropriate social skills.

In addition, several national organizations have adopted position papers on the inclusion of all learners in all settings. These organizations include: the National Association of State

Boards of Education, (NASBE), the Council of Chief State School Officers (CCSSO), and the National Association of State Directors of Special Education (NASDSE).

Arguments Against Including and Accommodating the Needs of Students With Disabilities

Children with disabilities need to feel safe and protected from society. Society has the responsibility to "take care of" people who are less fortunate than themselves. Schools are not the place to begin upholding a responsibility that society has not yet taken. Teachers have a large enough load already without expecting them to teach all children. If specialists are required to teach these children, they should hire the specialist and let the regular classroom teachers teach the students who have a future. The cost of special education students is getting to be too extravagant. Resources need to be restricted so that regular class students have adequate resources. Regular students within the classroom will be neglected because teachers will be spending all of their time instructing and accommodating for the students with disabilities. Academics should be the focus of education. If students cannot "compete" in the academic world, it is best that they be educated elsewhere so that teachers can teach academics, not social skills. Friendships, social skills and cooperation should be taught after school.

Key Questions

1. Should schools educate students with disabilities in an integrated environment?

2. How can schools support teachers and students so that ALL students can benefit and participate in an integrated setting?

3. Will regular education students lose valuable instruction time because teachers are accommodating for a variety of learner needs?

4. Can our current educational system accommodate for individual differences?

5. Do students with disabilities deserve the opportunity for an integrated educational experience?

ISSUE TWO: GENDER EQUITY

Recently the news has presented to the American public the issue of sexual harassment through events such as the Anita Hill-Clarence Thomas hearings and the Navy's Tailhook Convention (where female soldiers were subjected to sexual harassment). Because of this media attention, more people have become aware of sexual harassment issues and an increased perception of issues concerning females in American society.

Title IX of the 1972 Education Amendments prohibits discrimination on the basis of sex. Under this Act, schools are required to guard against and not participate in discrimination based on gender. Each school is required to nominate a coordinator who students and staff can turn to in the event a situation occurs where one becomes a victim of sex discrimination.

The school must also have in place a policy and procedure that can be readily followed to effectively handle discrimination violations.

In the September issue of Seventeen magazine a survey was conducted concerning sexual harassment of teenagers which indicated that sexual harassment is extensive in the schools. Much of the harassment the girls have reported has happened at school in full and plain view of others such as in hallways, lunchrooms, physical education classes, school buses, playgrounds, classrooms, and school concerts and assemblies. Usually there are witnesses and bystanders. Adults who refuse to intervene are seen by the students as negligent and in ignoring the behavior allows the harassment to continue.

The perpetrators of the harassment are generally the victim's peers. In October, 1992, a Minnesota second grader became the first elementary school student in the United States to formally accuse other elementary age children of sexual harassment. The complaint alleges that over a five month time period children on the bus harassed her and the bus driver did not attempt to stop the situation (boys called her four letter words and the bus driver stated that he thought it was normal behavior). The girl's mother said the lesson her first grade daughter learned was that it's OK for little boys to put down, humiliate, and embarrass little girls. She also stated that she believes a parent has a right to know that your child will have a safe and relatively happy ride to school without being harassed and forced to listen to profanities. In Duluth, Minnesota, a girl was awarded $15,000 after she became the target of vulgar messages scrawled on a bathroom wall. In California, an eighth grader had to run a gauntlet of boys gathered outside her school who would begin "mooing" as she approached before during and in between classes. Boys in Chaska, Minnesota circulated a list of the 25 most desirable (although they used a different word) girls in the high school. Montana has continuing problems with "Friday flip-up day" where the boys compete to see how many girls' skirts they can lift.

The line between teasing and sexual harassment is one which has left many students confused. Sexual harassment is defined as the intent to inflict emotional distress on the opposite gender. Adults too often dismiss inappropriate gestures, touching and taunting as a simple show of affection. But there is a big difference between flirting and sexual harassment. Flirting usually feels good and sexual harassment doesn't. Failure of school teachers, counselors, or administrators to recognize or dissuade such behavior can now be grounds for legal action. It is difficult to prevent a sexual harassment situation from occurring, but if a pattern occurs, it is the responsibility of the school to look into what has happened and try to maximize an effort to prevent such a situation from occurring again.

Arguments for Sexual Harassment Awareness Training in Schools

Schools should train their staff in sexual harassment training in order to recognize the behavior when they see and be able to handle a sexual harassment situation effectively to protect students in the school.

Students should be trained in student to student sexual harassment to enable all students to learn proper conduct

Schools should teach a combination of academic courses and behavior classes.

To those who are victims of sexual harassment, school becomes a place where oppression is learned and freedom is something that is read about in books.

Arguments Against Sexual Harassment Awareness Training in Schools

"Boys will be boys" and girls should accept that this a normal part of growing up which dates back to the inkwell and pigtail.

Profanity is a discipline action, not sexual harassment.

The schools have enough to do without adding sexual harassment training to the curriculum.

The schools are not in charge of how to raise children; that is the parent's responsibility. The schools are to provide a safe environment in which learning can take place.

Key Questions

1. Sexual harassment is defined as "unwanted comments or physical or verbal advances of a sexual nature." How big of a problem is sexual harassment in your school? In our country? Could your school effectively deal with a sexual harassment situation?

2. Sexual harassment does not happen only to females. How are males subject to sexual harassment in your school? In our country?

3. Should schools proceed in addressing the sexual harassment issue and other instances of gender discrimination in the school? If the schools do proceed in addressing the sexual harassment issue, how should it be taught and at what age/grade level?

ISSUE THREE:
STUDENTS WITH CULTURAL AND LANGUAGE DIFFERENCES

The Concerns: Educators, researchers, and practitioners, have been especially concerned with the growing number of children and youth, predominantly from ethnic backgrounds, who are considered at risk for problems related to educational failure and dropping out. Most researchers conclude that the cumulative effects of other risk factors experienced by ethnic groups, especially poverty, unemployment, discrimination, lack of access to health care, and despair, attribute to the causes of educational failure. When ethnic groups are educationally and economically left out, these groups will continue to experience poverty and perpetuate the cycle.

If we are to address the issues of educational failure of ethnic populations, we must face head-on the underlying dynamics of racism is our society. In order to create a society that values and nourishes its cultural diversity, we must create environments for children from *infancy* on that are characterized by respect for difference and by high expectations of success for *all* children. (Phenice, and Hidebrand; Rooney-Rebeck and Jason)

Arguments for Accommodation of Cultural and Language Differences

As a nation of immigrants, the United States was founded on the principle of diversity. During the 1990's the increase in ethnic and cultural diversity in the United States will be greater than in any other period in American history. The consequences of this diversity are already being felt in every sector of society including the workplace, the arts, the health-care system, and the schools. Educators are increasingly called upon to solve problems stemming from different and sometimes conflicting interests of ethnically, culturally, and socially distinct populations. These rapid changes present compelling challenges to the nation's educational institutions. The challenge is the adoption of a perspective that cultural diversity is not a problem or crisis but an exciting opportunity to experience other peoples and cultures. By moving toward multiculturalism, school can empower all youth through cross-cultural interaction, to help children not only respect difference and appreciate other cultures, but to learn cross-cultural literacy and competency as well. The current popular metaphor describes multiculturalism, as that of the "salad bowl" in which each vegetable retains its integrity and yet contributes to creating the whole.

Arguments Against Accommodating Language and Cultural Differences

While the school is a critical arena in which inequality is perpetuated, the school is often unfairly scapegoated and forced to bear the burdens of social problems created by our political and economic systems. The school system, as the major institution for socialization in our society, is targeted with the responsibility of improving ever broadening socio-economic issues, as well as concerns over increasing cultural diversity. Teachers ill prepared to deal with increasing social-related pressures have likened school to "riot control". School districts, already overburdened by overcrowded classrooms, lack of parental involvement, and burgeoning add-on curricula, are frustrated with the special problems of at-risk students.

Key Questions

1. What should be the role of the schools in accommodating the needs of ethnically and linguistically different students?

2. How can schools support teachers and students so that ALL students can benefit from cultural diversity?

3. Is multicultural education appropriate for all North Dakota students or only for those whose cultural histories and contributions are underrepresented in existing school curricula?

4. Can the present educational system accommodate for individual learning needs? Will we have to change the educational system for the benefit of all learners?

Resources

Resegregation of Public Schools: The Third Generation. A report on the condition of Resegregation in America's Public Schools, by the Network of Regional Desegregation Assistance Centers, June, 1989.

A Concern About Multicultural Education. Concerns: from the Council of Chief State School Officers Resource Center on Educational Equity, Issue XXXIII, October, 1991.

Moving Toward a "Just and Vital Culture: Multiculturalism in Our Schools, Midwest Regional Center for Drug-Free Schools and Communities, April, 1991.

Tune In To Your Rights, from the Center for Sex Equity in Schools, Regents of the University of Michigan, 1985.

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INVOLVEMENT IN GOVERNMENT IS CRITICAL IN A DEMOCRATIC SOCIETY

". . . Good government is a reflection of the people who make it that way -- their leadership and hard work are essential to effective government."
. . . . "We need to encourage America's young people to pursue careers in government . . ."

Source: President Bush, 1989

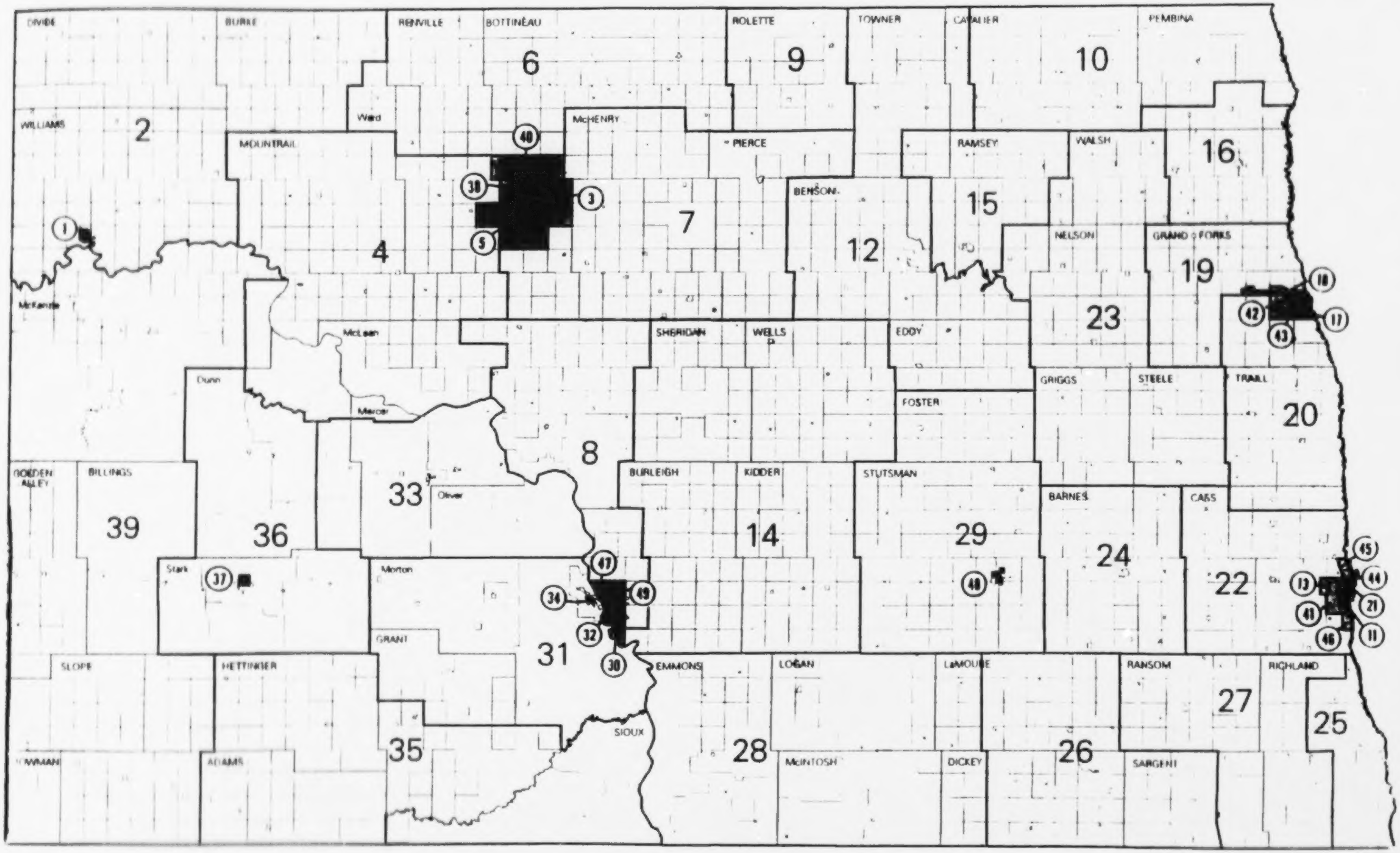
Today's students will be tomorrow's leaders . . . . They will need to be equipped, trained and motivated to lead our society into the century of greatness.

The concept of self-government depends on workers who gain fulfillment from serving their country and their fellow citizens.

Exciting opportunities will be available to plug the ozone layer, cure cancer, mass produce alternate fuel, and design a health care system that will excel and be affordable for all.

Lives must be challenged by the notions of contributions to our society, the essence of public service, the courage to be competent and to excel in the service to others.

Excerpts from the 1992 "Public Service Recognition Week Speaker's Kit"



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